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***A RHETORICAL ANALYSIS OF THE JOINT SITTING ON THE
FINAL REPORT OF THE TRUTH AND RECONCILIATION
COMMISSION HELD AT PARLIAMENT ON 15 APRIL 2003***

Nathalie Rosa Bucher / BCHNAT001

A minor dissertation submitted in *partial fulfillment* of the requirements for the award of the
degree of

Master of Philosophy in Rhetoric Studies

Faculty of the Humanities

University of Cape Town

2005

COMPULSORY DECLARATION

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I, (name of candidate)

MANOLIE ROSE BULGER

of (address of candidate)

52 OXFORD ROAD

OBSERVATORY 7925

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1 April 2005

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Abstract: A Rhetorical Analysis of the Joint Sitting on the Final Report of the Truth and Reconciliation Commission held at Parliament on 15 April 2003

Nathalie Rosa Bucher

Rhetoric Studies

Master Dissertation

2005

Key words: final volumes of TRC Report, reparation, Joint Sitting, Parliamentary rhetoric, nation-building, rhetorical presidency, Women's rhetoric.

The focus of this work is a rhetorical analysis of Parliamentary rhetoric within the context of the Joint Sitting on the Final Report of the Truth and Reconciliation Commission, held at Parliament on 15 April 2003. It explores the modes of persuasion employed by the speakers who had to address the recommendations made by the TRC. This work analyses how the speakers responded to the 'unfinished business', namely to reparation and prosecution and how the chosen mode, the Joint Sitting and the Joint Rules and Regulations, which applied at this highly ceremonial event shaped the rhetorical situation and impacted on Parliamentary deliberation.

A stringent rhetorical frame of analysis is applied to a sample of seven speeches (out of twenty-seven), reprehensive of the discourse of the ruling party and that of a fragmented opposition being in this work the voices of the Inkatha Freedom Party, the New National Party, the Azanian People's Organisation and the Democratic Alliance. Since two of the speakers chosen were women and one of them delivered her Maiden speech that day, it also builds a case study on women's rhetoric in the context of Parliamentary rhetoric. Since there is a lack of research focusing on women's rhetoric in South Africa, this case study is a pioneer study.

Although not exhaustive, this thesis through the application of rhetorical method based on *pisteis*, *topoi* and *lexis* identifies the nature of the deliberation at the Joint Sitting and situates it within the South African political context. It investigates the effects of *homonymy* and above all the modalities of nation-building rhetoric and the rhetorical presidency within the context of the new South Africa.

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ABBREVIATIONS

AC	Amnesty Committee
ANC	African National Congress
APLA	Azanian People's Liberation Army ¹
AZAPO	Azanian People's Organisation
COSATU	Congress of South African Trade Unions
DA	Democratic Alliance
DP	Democratic Party
FEDSAW	Federation of South African Women
GCIS	Government Communication and Information System
GEAR	Growth, Employment and Redistribution ²
GNU	Government of National Unity
GWU	Garment Workers Union
IFP	Inkatha Freedom Party
MK	<i>Umkhonto weSizwe</i> ³
NA	National Assembly
NCOP	National Chamber of Provinces
NNP	New National Party
NP	National Party
PAC	Pan African Congress
RDP	Reconstruction and Development Programme

¹ APLA was the PAC's military wing.

² ANC macro-economic policy, adopted in mid-1996 to replace the RDP, putting an emphasis on 'deficit reduction, government "rightsizing", tariff reduction, privatisation, and productivity-linked wage rates' (Lodge 1999, 6).

³ English translation: Spear of the Nation; the ANC's military wing.

SACP	South African Communist Party
SASO	South African Students' Organisation
SOMAFCO	Solomon Mahlangu Freedom College
the Act 1995)	Promotion of National Unity and Reconciliation Act, 1995 (Act No 34 of 1995)
TRC	Truth and Reconciliation Commission
WBI	Women's Budget Initiative

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Introduction and Methodology

Should a definition of rhetoric be sought, Aristotle is the most obvious source to turn to:

Let rhetoric be [defined as] an ability, in each [particular] case, to see the available means of persuasion. This is the function of no other art; for each of the others is instructive and persuasive about its own subject: for example, medicine about health and disease and geometry about the properties of magnitudes and arithmetic about numbers and similarly in the case of the other arts and sciences. But rhetoric seems to be able to observe the persuasive about "the given", so to speak (Kennedy 1991, 36).

The scope of this dissertation encompasses an analysis of a sample of seven speeches out of the twenty-seven delivered at the Joint Sitting on the recommendations of the Truth and Reconciliation Commission (thereafter TRC) Final Report, held on 15 April 2003 at the National Assembly (thereafter NA). Three speeches out of seven, are ANC speeches, including the President's address; the other four were chosen from opposition and minority party members' speeches. Insight into choice of speakers and parties are dealt with in chapter two. The mode of analysis for the speeches follows a standard structure starting with an introduction, which contains background information, followed by historical background information to embed each speech in its context. In order to evaluate this context, Lloyd Bitzer's article on the rhetorical situation serves as main reference. Further analysis is based on the classical rhetorical categories, namely the three types of speech, deliberative, forensic and epideictic; *taxis* (arrangement), *pisteis* (modes of persuasion) which are *logos*, *ethos*, *pathos*; *topoi* and *lexis* (style), the latter point entailing examining rhetorical figures of speech, schemes and tropes.

Chapter three regroups the ANC's speakers and chapter four the remaining four speakers from the IFP, NNP, AZAPO and DA, respectively. One of the fields within the study of the art of persuasion, is presidential rhetoric. The questions arising in this field focus around the presidential agency of public deliberation. Presidential agency often enters in conflict with Parliament as well as civil agencies, hence particular emphasis is placed on Mbeki's address. In this chapter, particular attention is paid to "nation-building rhetoric".

The last chapter is a case study on women orators at the South African Parliament, which is empirical and descriptive, thus non-conclusive.

All the speech analyses are based on Aristotle's *The Art of Rhetoric*, as well as Chaim Perelman and Lucie Olbrechts-Tyteca's *The New Rhetoric*. Other works consulted were Gerard A. Hauser's *Introduction to Rhetorical Theory* and Edward J.P. Corbett's *Classical Rhetoric for the Modern Student*; in the case of South African rhetoric, Philippe-Joseph Salazar's *La révolution fraternelle* and *An African Athens*. With regard to

theories on deliberation, the *Encyclopædia of Rhetoric*, and the works of Robert L. Ivie, Joseph M. Bessette, Thomas Farrell and Benjamin Barber were consulted.

The works of Viktor Klemperer, Aletta J. Norval, Antjie Krog, Sue Wright and also Robert Hariman support the section on "totalitarian tongues"; language in a context of violence, regime change, processes of transformation which all are born in and reflected in the language.

A vast amount of books and publications relating to South Africa's recent history, the TRC, and the period of transition were incorporated into this dissertation. For a complete list, I refer to the bibliography. Other sources were taken from newspapers, current affairs publications and the Internet.

The case study conducted on women orators is based on a literature review, drawing from gender and political studies. Unlike in America or Sweden, so far no work has been done focusing on women's rhetoric in South Africa. In the field of women's rhetoric studies, there is no general agreement on whether women do in fact argue differently from men. This hypothesis was the starting point of the research conducted. Besides providing a historical context and making reference to the main protagonists in "her rhetorical story", three interviews with women Parliamentarians were conducted; these offer insight into how women approach practical matters – such as speech writing – the topics they tend to raise, as well as their attitude towards debate at Parliament. The transcripts of the interviews are in the appendix. Due to the lack of research into women rhetoric in South Africa, Karlyn Campbell Kohrs' *Man Cannot Speak For Her* served as a template, Susan Zaeske's article on the "Promiscuous Audience" also fed into this chapter.

The Hansard Unrevised Copy, obtained by Parliament's Hansard Office is used for all speech analyses. A further document obtained by Parliament is the *Guide to Rules and Procedures 2004*. Video recordings made by Parliamentary Recording were viewed and additional information gained on delivery and audience response were included into analysis.

chapter one The Joint Sitting¹

Historical Context

The way apartheid was dismantled, the negotiation process stretching over years and the legacy of institutionalised separate development, explain the current political order and the challenges South Africa faces. Within the context of post-apartheid South Africa, public deliberation and ‘democracy-building’, the TRC, is one of the most significant processes, and key to defining and understanding the present. In South Africa, no clear distinction could be made between victors and vanquished – instead, the negotiated settlement left a fragile balance between the old and the new order. While some have adopted the view point that the TRC was a means to an end – gaining popular legitimacy for an elite-negotiated pact, birthright of the first republic and the Mandela presidency – it is inextricably linked, and constitutionally bound to finding a way to deal with the clause penned in the 1993 Interim Constitution, that ‘[...] there shall be amnesty, granted by Parliament.’²

The establishment of a truth commission was to become the instrument with which Parliament responded to the obligation set forth in the epilogue of the 1993 interim constitution to address the issue of amnesty. The TRC received its mandate through an act of Parliament, which on 19 July 1995 adopted the Promotion of National Unity and Reconciliation Act, 1995 (Act No 34 of 1995, thereafter the Act) with great majority (Meiring 1999, 12). Once set up, the TRC was to deal with the question of amnesty, manage the challenge of reparations and, as the Act further states, promote national unity and reconciliation in a highly divided society. The work of the TRC, however, lacked unanimous support from all political role-players. A number of court cases led to the TRC’s frequent embattlement in litigation. In the case brought forward by AZAPO and others, the Constitutional Court ruling denied the claimants to issue reparations claims in civil courts and shifted the onus of dealing with the matter to Parliament.³

How did government address the need for reparations, and what was the anticipated response to the TRC’s recommendations? One of the aims of this dissertation is an analysis of the delayed responses given by various speakers during the joint sitting in Parliament on 15 April 2003.

¹ Findings of preliminary research conducted for this dissertation was presented at the OSSREA South African chapter workshop, held in Cape Town 8-10 October 2003 under the title: The TRC Report, Reparation & Nation-Building: Positions, Programmes & Policies in Parliament’s 15 April 2003 Joint Sitting.

² South Africa - Interim Constitution (Old), 1993, Epilogue, Chapter 16 (URL located at: http://www.oefre.unibe.ch/law/icl/sf10000_.html)

Reparations (non)debate

On 21 March 2003, the TRC submitted its Report and recommendations to government. Following the completion of the five-volume report, 'unfinished business'⁴ had to be addressed. This concerned mainly reparations and the prosecution of individuals who either were not granted amnesty or had failed to apply for amnesty (Saunders 2003, 20). As one of the former commissioners stated:

The function of the Commission pertaining to reparation are to "make recommendations to the President with regard to: the policy that should be followed or measures which should be taken with regard to the granting of reparation to victims or the taking of other measures aimed at rehabilitating and restoring the human and civil dignity of victims; measures that should be taken to grant urgent interim reparation to victims" (Orr 2000, 239).

While urgent interim reparations had been paid out to most of the victims that had appeared before the commission, more needed to be done. There was a linkage between the issue of amnesty and reparations from the onset, as Henry underlines:

Closely linked to the amnesty process is reparation. Central to the understanding of reparation policies as forwarded by the TRC is the realisation that reparation is necessary to the extent that it is possible. Only in this way can progress be made towards peaceful coexistence – as a basis for the promotion of a human rights culture (Henry 2000, 172).

The same rapprochement between amnesty and reparations can be found in the Commission's report:

In addition, in the context of the South African Truth and Reconciliation Commission, reparation is essential to counterbalance amnesty. The granting of amnesty denies victims the right to institute civil claims against perpetrators. The government should thus accept responsibility for reparation.⁵

The question of reparation had been an ambiguous political matter for some time. In early February 1999, at the opening of Parliament, then President Mandela suggested that reparation would be of symbolic nature and therefore ruled out individual and monetary reparations. Following the outcry and protest of survivors, victims and families concerned, by the end of that same month, when the TRC report was discussed during a joint sitting in Parliament, 'President Mandela announced that the TRC's reparation recommendations were "broadly acceptable" and that "to the extent that resources allow" individual reparation grants should continue to be made to identified surviving families and victims (Orr 2000, 239). He also said, however, that reparation cannot be 'proportional' – only symbolic.' Thabo Mbeki, then in the position of Deputy President, advocated reparations in the 'form of

³ Azanian Peoples Organisation (AZAPO) And Others v The President of the Republic of South Africa, CCT 17/96, Constitutional Court, 25 July 1996, (URL located at: <http://www.concourt.gov.za/files/azapo/azapo.html> accessed 24 June 2003)

⁴ Bell and Ntsebeza, in: Alexander, op. cit. p.121. & Eric Rangus, Villa-Vicencio outlines South Africa's future: http://www.emory.edu/EMORY_REPORT/e.../3_5_01curries.htm, accessed 24 June 2003.

⁵ Truth and Reconciliation Commission of South Africa Report, Volume Five, Chapter Five, p. 170.

redistribution, reconstruction and development, but also stated that individual reparation in the form of cash and services should be considered. He emphasised, as did the then Minister of Justice, Dullah Omar, that 'no fighter for liberation ever engaged in the struggle for personal gain' – and that the 'only reward' sought was freedom (Orr op. cit., 247). Although this official interpretation and understanding of the issue of reparation is of significance, it is important to note that the reality of truth-telling is ambiguous:

Telling the truth about terrible events [is a] prerequisite both for the restoration of social order and for the healing of individuals [sic] victims – when the truth is finally recognised, survivors can begin their recovery. But far too often secrecy prevails and the story of the traumatic event surfaces not as a verbal narrative but as a symptom (Herman in: Verwoerd & Villa-Vicencio 1992, 253).

The 'dire social circumstances'⁶ affecting many of the survivors and victims that testified before the TRC were an additional hurdle in dealing with and overcoming their trauma, effectively preventing them from embarking on a process of healing. It is precisely this context that made the need for reparation so important. Having the matter failed to receive much attention from government, the victims' pressure and dissatisfaction mounted. Tutu commented on the government's delay as follows: 'The tragedy is that silence translates into a sense of betrayal and hopelessness among many victims.'⁷ Given the background of urgently needed reparations and the outstanding response from Parliament, this dissertation explores the chosen mode, the rhetorical situation and the deliberations made in Parliament on 15 April 2003.

Barkan's *The Guilt of Nations* traces developments concerning restitution that took place post World War II, which he regards as 'not only a legal category but also a cultural concept' (Barkan 2000, xix). In the wake of the fall of the Berlin wall, a 'new morality' (Barkan op. cit., xx) has emerged and sovereign states have turned to engaging themselves not only in discourses of apology but also payment of significant amounts as form of restitution, as seen in the case of Swiss banks or German companies (i.e. Volkswagen).

Against the background of a moral malaise, does restitution provide a moral opportunity? The political calculus of restitution aims to privilege a moral rhetoric, to address the needs of past victims, and to legitimate a discussion about a redistribution of resources around the globe. [...] This morality may have particular cachet in our postcolonial world, in which peoples' identities include their histories and sufferings. [...] Beyond the moral framework, groups have to pursue their claims politically and persuade different constituencies of their just claims (Barkan op. cit., xl).

⁶ ibid.

⁷ Desmond Tutu, Foreword, in: *Time to Act The Recommendations of the Truth and Reconciliation Commission*, Booklet issued by the Institute for Justice and Reconciliation, Cape Town: no date provided, p.1.

A further observation Barkan makes is that 'restitution may demonstrate that acting morally carries tangible and intangible political and cultural benefits. [...] Contemporary international discourse underscores the growing role of guilt, mourning, and atonement in national revival and in recognising the identity of a historically victimised group.' The crucial question this throws open is whether restitution can 'turn a traumatic experience into a constructive national narrative and identity' (Barkan op. cit., xli).

The TRC in its truth-finding endeavour pursued different narratives of which the religious-redemptive, mainly due to Archbishop Tutu, had the strongest impact. Mbeki is known to have been in favour of rather representing a narrative of national liberation, which effectively shifts the focus away from victims. Not surprisingly, he rejected the term victim, which also transpires during the Joint Sitting of 15 April.

Hauser writes that

narratives are stories we tell ourselves and other people. They express the norms of a culture; they tell us not so much how the world is as how it ought to be. Cultural norms do not exist in narrative lines. Rather, a culture is composed of norms that are expressed through narration. The storylines of a culture are not always true (Hauser 1986, 5).

Rhetoric, on the other hand, 'does not reveal ideas through stories, as with the narrative, or deal with abstractions, as with dialectic. Rhetoric helps us form appeals that are specific to a given situation. Thus, a rhetorical appeal ideally is never divorced from its audience' (ibid.). Bitzer explores the considerable importance of audience and writes:

It is clear that situations are not always accompanied by discourse. Nor should we assume that a rhetorical address gives existence to the situation; on the contrary, it is the situation which calls the discourse into existence.⁸

'Rhetorical discourse, [...] does obtain its character-as-rhetorical from the situation which generates it, [...]'. In order to be considered as rhetorical situation, an oratorical event must fulfil the following criteria:

It 'may be defined as a complex of persons, events, objects, and relations presenting an actual or potential exigence which can be completely or partially removed if discourse, introduced into the situation, can so constrain human decision or action as to bring about the significant modification of the exigence (Bitzer op. cit., 2 & 3). What is meant by exigence? 'An exigence is rhetorical when it is capable of positive modification and when positive modification requires discourse or can be assisted

⁸ Lloyd F. Bitzer, 'The Rhetorical Situation', in: *Philosophy and Rhetoric*, 1(1), 1968, p.2. This seminal text was kindly emailed to me by Professor Maurice Charland.

by discourse' (Bitzer op. cit., 7). What is the exigence the twenty-seven orators were faced with at the 15 April 2003 joint sitting? Which constraints did they encounter?

For Hauser, 'rhetoric is a method'. It entails the management of words, which are symbols, 'in order to coordinate social action' (Hauser op. cit., 5). Bitzer expands and writes that 'a work of rhetoric is pragmatic; it comes into existence for the sake of something beyond itself; it functions ultimately to produce action or change in the world; it performs some task. In short, rhetoric is a mode of altering reality, not by the direct application of energy, but by the creation of discourse which changes reality through the mediation of thought and action' (Bitzer op. cit., 3 & 4). Furthermore, 'thinking about communication is not the same as thinking in general. It reflects a commitment to reaching someone, affecting that person in some way, and bringing about action through the meditation of symbols' (Hauser op. cit., 65). Action, however, as outlined above is not foreseen in the provisions guiding a joint sitting. Given the length of time that had lapsed, the joint sitting could not be a 'finest hour', of the kind Churchill pursued to find and respond to (Bitzer op. cit., 2). What was the effect of the Joint Sitting on rhetoric? Most significantly, it stipulates events of ceremonial nature and epideictic discourse, with the effect of ruling out deliberation, which would be prescriptive, looking at the future.

Deliberative discourse is 'unruly because it focuses on the future-on what should be done-and because the future is opaque; [...], because it produces injunctive decisions that constrain an entire populace; and [...] it is polyvocal, because it must accommodate so many different voices' (Sloane 2001, 210). Bearing in mind that legislation also features among the five great subjects of deliberation listed by Aristotle, '[...] epideictic speaking-the speech of remembrance-can flourish in any political culture (authoritarian or republican) and while forensic speech prospers wherever laws are applied, deliberation requires democracy for its perfectability' (ibid.).

Parliament the 'national forum for public consideration of issues'⁹ is by definition, in a democratic state, polyvocal and should deal with legislation and should be the prime site of deliberation. Haigh in his opening chapter of *Strangers May Be Present*, sums up what parliament stands for:

Parliament, it has been said, can do anything but change a man into a woman. It is the highest forum in the land. It is the master of the land and the mistress of many men. It is the heart of democracy, a heart that pumps the national life's blood of free speech.

"Parliament is a talking shop but that is democracy and it is the only thing that works," [...] (Haigh 1951, 1).

Before turning toward the chosen mode and implications of a joint sitting for a reparation debate, it is important to highlight a few further remarks on deliberation, the very essence of which are 'uncertain matters' (Sloane op. cit., 211). While according to Dewey, 'most deliberations participants' anticipations of the future are based on their recollections of the past', deliberation is haunted by the present as well.

'Because it is haunted by time, deliberation contributes to constitutive forms of government, not to essential forms. [...] Its *telos* is the possibility of agreement, never its actuality. This makes democracy a largely methodological enterprise; it only ensures *a way* of making decisions, never a specific result' (ibid.). Intentions to deliberate, followed by 'the mere act of deliberation sends its own message, a message of possibility' as the case of the 'Talks about Talks', ushering in the negotiated settlement, prove for South Africa.

The 'rules of discourse and forms of argumentation', Habermas states, 'because transcendent truths are so hard to determine and because ethics vary so widely from community to community, [...] become place holders of democracy' (Sloane op. cit., 212). This begs the question: what are the hallmarks of a joint sitting? As stated in the Joint Rules and Regulations, the President has the right to call for a joint sitting when he or she deems it necessary. Of even greater significance however is the fact that 'No vote or decision may be taken by or in a joint sitting.'¹⁰

Generally speaking, joint sittings are outstanding events in the South African Parliamentary calendar – usually they mark the 'annual address' given at the opening of Parliament as well as 'special occasions'. During the Mandela presidency, a total of thirty-five joint sittings were held. Since Mbeki holds the highest office, there have been sixteen joint sittings recorded.¹¹ The joint sitting and the procedures it has to follow, is the product of a parliamentary committee. Most importantly, these rules exclude a debate, which normally would be followed by a vote on a particular matter or bill. Although the issue at stake was of immense significance and government's response had been anticipated for a considerable time, the legislative response to the TRC report was not to become the result of debate. These facts had implications for the event itself and the manner in which speakers dealt with it. The five hours allocated for the joint sitting – an unusually long timeframe – would see the oratorical performances of twenty-seven speakers. The length of the event – starting at 14h00 and closing at 19h03 – allows for comparisons only with Soviet deliberations or the rhetoric of *Commandante* Castro – a popular man in South Africa.

What is labelled as 'annual address' and features in its Rules and Regulations, does not feature in the Constitution. This does by no means signify that it is unconstitutional; it does however suggest the presence of a rhetorical tradition, which has quite possibly been imported from the American President's State of the Nation address. The "given-for-granted" of Mandela's 1994 address to Parliament has been turned into a taken-for-granted, a rhetorical tradition and aims at emulating

⁹ The Constitution of the Republic of South Africa, 1996, Act 108 of 1996, 27.

¹⁰ Joint Rules and Regulations, Parliamentary Press Office, ref. 10 December 1999/12:25/JOINTRUL.DOC/jn, revised : 17/03/2000/11:15).

¹¹ List of Joint Sittings obtained via email from D. Billy, Hansard, Parliament of South Africa, 2004.

American politics. Subsequently the press took it up so that upon the opening of Parliament, which usually takes place between late January and early February, the President delivers the State of the Nation Address. In 2005, even a Press release and Media briefing (some may call it interpretation) was issued briefly before the event.¹² As Kate O'Regan, Judge of the Constitutional Court stated, when referring to the 'relationship between the Bill of Rights in our new Constitution and the common law' in 1998, 'ours is a mixed or hybrid legal system' (O'Regan 1998, 1). Comparing the difference in procedures, for example between the British parliamentarians, for whom 'the rituals of interaction prize adversarial exchange,' (Sloane op. cit., 211 & 212) and members of the US Congress, it becomes evident that the latter are more used to working in committees. 'In both cases, however, rules of order determine who will speak about what and for how long' (Sloane op. cit., 212). Analysing the case of Botswana, Good states, that the downside of the liberal model, is that it revolves around the ballot box and displays, to the detriment of broader civil participation, a strong presence of elitism. Furthermore, 'great centralisation of power in the presidency exists [...]' (Good 2002, 15). The rise of the State of the Nation Address goes hand in hand with a particular field within rhetoric studies, presidential rhetoric.

What in the US has been 'labelled "the rhetorical presidency" has become a focal point of concern, for the essence of the rhetorical presidency is its alleged subversion of rational deliberation by appealing directly to the general public over the heads of their elected representatives in Congress' (Ivie 1998, 492). Ivie recounts that '... presidents, until the twentieth century generally restricted their deliberative messages to written communications with Congress and avoided popular oratory on matters of public policy' (Ivie 1998, 493). What he qualifies as '[...] presidential corruption of deliberative discourse became commonplace [...]' following the lead presidents Roosevelt and Wilson made with regard to 'presidential interpretations' (ibid.). Subsequently 'the "cult of the presidency" has taken us close to "creating a presidential republic" which threatens the rule of representative democracy and rational deliberations' (ibid.). The questions Ivie poses are crucial, 'what, then, is the prospect for democracy in a rhetorical republic if public deliberation is in decline?' His hypotheses, given in 1998 turned out to be prophetic, as 'liberalism's ideological domination of democracy not only permeates American political culture but also its foreign affairs, representing control of the Other (and of the Other within us) as the key to national security and international peace [...]' leading to the '[...] temptation to engage in a crusade for democracy, including military interventions aimed at producing a new democratic world order' (Ivie op. cit., 501).

In the case of South Africa, 'at face value, the 2nd republic is a Parliamentary democracy. Within Parliament the National Assembly alone is the result of direct, universal suffrage (Salazar op. cit. 48). Thus the meanwhile firmly entrenched tradition of the State of the Nation Address and the efforts of

¹² State of the Nation Address by Mbeki and Press Briefing was forwarded to me by Martin Tsheoli.

'state communication services and the ANC [...] to market or even merchandise the 2nd republic as a presidential regime' has lead not only to the 'consolidation of a rhetorical presidency in South Africa' but 'bears the marks of "evocation of interpretation" (Salazar op. cit., 49). A consequence of the invention of a form of address such as the State of the Nation Address, 'alters the shape of politics' (Salazar op. cit., 51). Following the lead made by the State of the Nation Address, a State of the Province Address was recently held by the Premier of KwaZulu-Natal (SAfm news, 28.2.2005).

In a robust democracy, citizens address each other to co-ordinate and accommodate their differences; in a thin, predominantly liberal democracy, the people are deemed the irrational Other who must be contained, domestically and globally, in order to secure peace and prosperity, for diversity and difference are equated with error, chaos, loss of control, and this insecurity and perpetual threat (Ivie, op. cit., 501).

While Ivie hinted towards America going to war, sceptics may suggest that South Africa emulates the US in this regard as well as its political and military involvement spreads all over the continent. South African troops are based in the Great Lakes region, recently the country has been involved in Togo. Like most Americans before invasions of Afghanistan and subsequently Iraq would not know where to place these countries on the world map, most South Africans do not know where Togo is situated.

'Democratic political talk "makes and remakes the world," for it "can invent alternative futures, create mutual purposes, and construct competing visions of community." It is the "art of engaging strangers" and stimulating kinship in them' (Barber in: Ivie ibid.). Haigh, who qualified 'the Parliament men [...] as great princes as any in the world' (Haigh op. cit., 2) made observations half a century ago, still valid today:

"Parliament men" are not princely personally. Their blood is as common as mine and I would confidently compete with most of them in a quiz test. It is Parliament that is a princely possession of democracy. [...] Parliament does work. You realise this when you learn the reason for much of its rigmarole. But to those who cannot or will not be bothered to understand Parliament must find its antics and incantations as bewildering as a rugby match would strike and Eskimo (ibid.).

For one "Parliament woman", the Joint Sitting held on 15 April was bewildering, suggesting the choice, given a different framework, of a more literary title along the lines of *A Strange Day in Parliament*. Reflecting on the joint sitting, Smuts in an interview contended that:

[...] it should have been an excellent, ... that debate should have been the crowning day for all their hard work, and the years of their lives that went in [...] and instead they blotted their coffee [unclear] and instead it was a very fine day for government except that reparations were in my view not adequate but it made me a little bit nostalgic for the old ANC that did the right things because there was a time when everybody was striving to do the right things. And that took us through such a good transition and we wrote a good constitution. So *it was a strange day*, made me nostalgic for the good days [laughs], so when the weight was over, all that I felt was that the debate was going to be, so something changed and quite shortly before the debate, I think. I think so (Interview 1: Smuts). [my emphasis]

Was 15 April 2003 really a 'strange day' within parliamentary business? The event was unusual as well as exceptionally long, and brought together all parties represented in Parliament. Allocation of time for each speaker is made according to representation, this meant that the African National Congress (ANC) had eleven speakers, the Democratic Alliance (DA) four, the Inkatha Freedom Party (IFP) three and the remaining nine parties¹³ had one each. The core of the analysis comprises of seven speeches, illustrating the IFP's, AZAPO's, the DA's, the NNP's and the ANC's position, as delivered by President Thabo Mbeki and the Minister of Justice and Constitutional Development, Penuell Maduna, as well as the Honourable Mabel Mentor, who delivered one of the maiden speeches. This choice results from the positions these parties have adopted in the past in relation to the TRC process. Both AZAPO and the IFP were opposed to the TRC, and both posed serious legal threats to the Commission – the latter caused delays in the publication of volumes six and seven of the TRC report. Since it succeeded the old National Party, the NNP is an interesting case. What, given this insight, did these speakers make of the time they were allocated? How did they address the TRC's recommendations as well as the legacy this process posed, almost ten years into democracy?

Of further significance is the fact that two maiden speeches were delivered on that occasion. It would be expected that each Parliamentarian should be granted the opportunity of addressing their peers in a context that allowed the full display of their oratorical skills. According to a member of Parliament, the length of the event challenged the parties and their speakers. It was not known, prior to the event, whether the President would stick to the provision that there would be no general nor further amnesty, nor was there any indication as to what stance government would take on the issue of reparations. What kind of strategy did parties adopt, in light of these facts? Some clearly were at a loss as to 'how to fill the time.'¹⁴ Derek Hanekom, twenty-first speaker in line and ninth ANC speaker that day, tried a "mixed bag" frank and funny approach:

Chairperson, President, Deputy President, Premiers, Ministers, hon members, it's difficult to talk so late in the debate when so much has been said and not to repeat a lot of what has been said. The President has left the House I'm afraid, because I wanted to share something with him. I have some of the passages in my speech which he used in his speech. The problem is I wanted to say these things first, but he got in before me. [Laughter.] Well, I'll live with that.¹⁵

This situation also explains the two maiden speeches. Some speakers reiterated the party line, the DA, however, devised a strategy for the Joint Sitting. This foresaw using the time it had been allocated in such a way that instead of merely one or two, altogether four speakers were given the opportunity to address the joint sitting, each focusing on a pertinent topic relating to amnesty, reparations,

¹³ African Christian Democratic Party (ACDP), *Afrikaner Eenheids Beweging* (AEB), Freedom Front (FF), Minority Front (MF), New National Party (NNP), Pan African Congress of Azania (PAC), United Christian Democratic Party (UCDP), United Democratic Movement (UDM).

¹⁴ Interview 1: Dene Smuts, DA MP, 15 August 2003; Appendix I.

reconciliation and the legacy of the TRC respectively. The strongest link between the ANC's speeches was the opening address by Thabo Mbeki and the closing statement, the party's peroration, delivered by Penuell Maduna, which will be analysed in chapter three.

The PAC's Dr Pheko delivered an angry *j'accuse* and listed former APLA members and their prison sentences:

Many members of Apla were refused amnesty and subjected to brutally long prison sentences. Thapelo Maseko for 55 years, Bhani Mangaliseki 58 years, Shakespeare Buthelezi 64 years; Simelele Ngesi 16 years; Mdudeki Ntantiso 74 years and six months; Phila Dolo a life prison sentence plus 54 years; Kenny Motsomai two life prison sentences plus 19 years; Sipho Mbeki two life sentences plus 20 years; Phakamile Cishe three death sentences plus 21 years; Kwanele Msize three death sentences plus 24 years.¹⁶

Smuts would later in her speech, refer to Dr Pheko's. Among the other speeches, which elicited responses from their peers the IFP's Mncwango's caused the most interjections and was most often addressed subsequently. Ms Motubatse-Houngpatin, standing in for the ANC was applauded in the House after stating: 'I would like to remind Mr Mncwango that we should that all (sic) the works of Desmond Tutu and his co-workers. Again we should thank him and remember what he has done at Graaf-Reinet during the death of Sobukwe when he stopped the mass from killing Dr Buthelezi'¹⁷. She further added that 'when hon Mncwango was speaking, he reminded me of the googles (sic).' Then concluding her speech in Sepedi:

I am asking that all South Africans unite and move forward and know that our country will never be ruined by fighting. With or without armies our country will never turn back.¹⁸

Many other ANC members simply re-iterated various government programmes. Among the twenty-seven speakers were even Premiers. Deployed for the occasion, the then Premier of Limpopo Ramathlodi spoke with sunglasses on. Immediately after him, the FF's Dr Mulder started by recalling a gruesome land-mine incident, killing 'innocent victims'. He referred to the Norgard principle as 'Norgard test' and in the sections delivered in Afrikaans, repeated the infamous slogan 'Kill the Boer' juxtaposed to the responding 'Kill the Blacks'¹⁹.

Speaking for the UCDP, Mr Mfundisi breached the sensitive issue around deaths of cadres within the ANC's own camps:

¹⁵ Hansard Unrevised Copy (Tape: 112, Disk: 370, Take: R.1).

¹⁶ Hansard op. cit., (Tape: 107, Disk: 365, Take: M.13)

¹⁷ Hansard op. cit., (Tape: 103, Disk: 362, Take: J.10)

¹⁸ Hansard op. cit., (Tape: 103, Disk: 362, Take: J.11)

¹⁹ Hansard op. cit., (Tape: 107, Disk: 365, Take: M4.)

However, the truth is that some people have up till now not been accounted for, let alone those who died at the hands of their comrades in exile and the SA Security Forces, as a result of the instant jungle justice. [Interjections]²⁰.

Opinions vary as to whether Mbeki, in his capacity as Head of State, should make an official apology 'to all victims on behalf of those members of the security forces of the former state and those forces of the liberation movements who committed gross violations of human rights [Interjections]²¹', this very quote is evidence, and stands for many of the speeches made during the Joint Sitting, that there is no agreement on many issues, but that the TRC has built an edifice of collective memory as well as a shared language. How "raw" the issue of amnesty still is to many South Africans, was reflected in Mulder stating

Can someone come and explain this at my meetings during question time, after I am brave enough to speak about reconciliation and I do that every night and you can come and listen.²²

Mulder, as did Mfundisi, used the *topos* of reconciliation (the latter toward the close of his speech) urging his audience to 'continue to make our breast clean in order to be reconciled as a nation'²³.

Writing on the court of Emperor Haile Selassie, Hariman observes that

the embodiment of power beginning with the monarch generates the micropolitics of the social system. These related conventions include the bodily performance of power, the displacement of speech by gesture, and, when the court is in trouble, the figure of royal immobility (Hariman 1995, 60).

Style and speech and the significance of discursive acts differ from one political order to another and are correlated. In the case of Zimbabwe, Mugabe's ruling style, as well as his presidential rhetoric, is dictatorial.²⁴ In the case of Ethiopia the emperor's body, the body politic mirrored the regime's well-being or ailments, as exemplified by Hariman: 'one of the emperor's responses to the atrophy of his regime was to order the courtiers to engage in daily calisthenics (Hariman op. cit., 61). Wright, also using the image of the body, states that

[...] images of the human body – the body politic – and of course countries are commonly talked about as if they were persons. [...] If a group is imagined as a container-like body, then linked notions will appear in discourse, and may be mirrored in physical behaviour. Thus, the containing boundaries of the 'body' must be absolute and exclude 'foreign' bodies', which are often conceptualised as 'infections', 'contagions' that infect the society's 'health'. These disease metaphors are linked to ideas of 'purity' and 'impurity' (cultural, ethnic, etc.) and thus to ideas of 'adulteration' and the 'unclean' (Wright 1998, 9).

²⁰ Hansard op. cit., (Tape: 107, Disk: 365, Take: M.7)

²¹ Hansard op. cit., (Tape: 107, Disk: 365, Take: M.9)

²² Hansard op. cit., (Tape: 107, Disk: 365, Take: M.2-3)

²³ Hansard op. cit., (Tape: 107, Disk: 365, Take: M.9)

²⁴ I explored this relationship in my Honours thesis, *Understanding the Power of Rhetoric: The Case of Robert Gabriel Mugabe, President of Zimbabwe*, UCT, 2002.

Mugabe, seeing the Ndebele as one of the 'others', 'ailing' and suffering from 'dissident' condition, in the 1980s carried out a 'coup de grâce'.²⁵ In South Africa, one of the hallmarks of the apartheid régime was its forcefully removing people, disrupting lives, splitting and corrupting identities. The discourse of forced removals also applied to those regarded as enemies of the state. Sparks recounting the case of the *Cradock Four*:

The document [...] listed the names of three men, Matthew Goniwe, his cousin, Mbulelo Goniwe, and Fort Calata, then said simply: "It is requested that the above-mentioned persons be removed permanently from society as a matter of urgency." The date on the message was 7 June 1985 – 20 days before the Cradock Four were murdered (Sparks 2003, 158).

By the 1980s, the apartheid state reached a state of heightened militarism. In line with these developments was a

resort to "extra-legal counter-revolutionary acts, as long as they are done secretly". [...]: The counter-insurgency elements of the police and military ... felt that a democratic state using democratic methods could never withstand a concerted Soviet-backed revolutionary effort. Their solution was to suspend democratic freedoms and to militarise South African society...(TRC Report op. cit., 42).

These developments reflect in the language: 'Of course, the word murder was never used but euphemisms like 'eliminatie', [...], 'neutraliseer' and 'uitwis'²⁶ are to be found in some of the SSC²⁷ policy documents adopted in the 1980s (TRC Report op. cit., 43). At the same time, Norval observes 'a state of disarticulation and crisis [...] the terms in which the apartheid's imaginary's expansion was articulated – involving a shift from a language of separate and parallel development to one of consociational pluralism – introduced a vocabulary which would yet have a long future ahead of it, for it provided much of the basis upon which negotiations during the 1990s would take place' (Norval 1996, 218). Tracing the time of negotiations, Norval uncovers how the ANC's discourse would introduce the concept of reconciliation:

It is within the framework of the Freedom Charter that the ANC sought to address the vexed question concerning the perpetrators and the legacy of apartheid. [...] the NP [...] insisted that the past was irrelevant to the future [...] "alleged injustices" had to be left behind if the wounds of the apartheid era were to heal, the ANC argued that no such healing could take place without bringing the crimes of the past into the light of day. This required a strategy of reconciliation without covering over of past atrocities. The theme of reconciliation and healing remained a key issue throughout the transition period, and was reiterated in Mandela's inaugural speech in 11 May 1994:

The time for the healing of wounds has come. The moment to bridge the chasms that divide us has come. The time to build is upon us [...] (Norval op. cit., 293 & 294).

²⁵ *ibid.*

²⁶ English translation: eliminate, neutralise, wipe out.

²⁷ State Security Council, effectively wielded power from Parliament and 'stood at the apex of the secretive National Security Management System' (TRC Report op. cit., 43).

In its report, the TRC gives a number of examples and a descriptive definition of what reconciliation entails:

The road to reconciliation requires more than forgiveness and respectful remembrance. It is, in its respect, worth remembering the difficult history of reconciliation between Afrikaners and white English-speaking South Africans after the devastating Anglo-Boer/South African War ... Despite coexistence and participation with English-speaking South Africans in the political system that followed the war, it took many decades to rebuild relationships and redistribute resources ... Reconciliation requires not only individual justice, but also social justice (TRC Report op. cit., 117).

According to Gibson, 'the problem with "reconciliation" is not that it is devoid of content; the problem is instead that reconciliation is such an intuitively accessible concept that everyone is able to imbue it with her or his own distinct understanding' (Gibson 2003, 5). Doxtader also asks 'what do reconciliation and reparation mean?' and suggests a 'relational *perspective* that resists the vacuum of critique in isolation and a *relational* perspective which affords time and space to question, to ask after the decisive in a non-definitive way suggesting that 'this work is particularly important given that the reparative and reconciliatory are not the only tropes at work on the South African landscape' (Doxtader 2004, 139).

What to make of the fact that 'prime evil' from his Super Max prison cell informs his biographer to state the following at the beginning of *A long night's Damage*: 'The royalties of this book have been donated by Eugene de Kock to the victims of apartheid and their families. [...] De Kock said doing so would "be a small gesture towards reconciliation" [...]' (Gordin 1998, foreword). In rhetorical terms, this could be regarded as the "prime example" of *homonymy*, 'words, expressions, even sentences are used that sound the same but mean different things to different people' (Salazar op. cit., 58 & 59). One aspect of this dissertation will entail an analysis of how language has changed, what common language is spoken in Parliament. Given Barkan's linkage of restitution and national narrative, a further question explored is how the new nation is being built trying to discard the past's stumbling blocks. All along, it is important to bear in mind that in the absence of a vote to take place during the joint sitting, there was no 'controlling exigence which functions as the organising principle' which would specify 'the audience to be addressed and the change to be effected.'²⁸ Put succinctly, this persuasion was not to effectuate action. Persuasion that falls short of effectuating action is not persuasion.

Choice of Speeches

The rationale behind the choice of the seven speeches investigated, is an attempt to be representative of the position of both the ruling party and its fragmented opposition. Mbeki's opening address is an obvious choice, similarly Maduna then held the office of the Minister of Justice and delivered the conclusive speech. Mentor provides an example of an ANC's MP rising from the rank and file, who delivered her maiden speech at the Joint Sitting; last and not least she provides an example of women's rhetoric.

Since South Africa lacks of a real opposition, the rest of the speeches highlight the multiplicity of positions held by "non-ruling parties". DA represents the official opposition and the others the most relevant minority parties.

The positions of minority parties changes considerably depending on the role they played during the struggle, and the negotiation process – a role that crucially affected their relationships with and attitude towards the TRC. While the IFP sided with the old regime, AZAPO and the PAC (whose position is mentioned but whose speech is not part of the analysis) were part of the liberation movement and thus antagonised the regime as much as the ANC did. The fact that the PAC emerged as a split from the ANC in 1959 and that in the 1970s AZAPO filled the void left by the ANC cadres jailed or exiled, lead to unavoidable differences and tensions. The nature of the negotiations, which was based on cooperation with the NP, while excluding AZAPO and PAC, deepened this cleavage and finally relegated these two minority parties to the opposition.

The speeches chosen capture these different positions, relationships and attitudes towards the TRC, as well as the *vexata quaestio* of restitution that the Joint Sitting was meant to close.

The IFP was included in the speech analysis, because of the historical significance of Inkatha, the findings of the TRC, the political violence in KwaZulu-Natal, the role of Buthelezi in the context of South African political affairs and his last minute participation in the 1994 elections. Most parties at some stage objected to the TRC and took legal action against the Commission, the IFP was the last party to do so; the out of court settlement reached in January 2003 was less than three months prior to the Joint Sitting. Finally, with regard to that 'strange day' in Parliament, the Honourable Mncwango's was the most controversial speech to be delivered.

²⁸ *ibid.*

What was the NNP to make of the ceremonial event marking the end of the TRC process? And how would it comment on the Commission's final Report. Without any of their own heroes to praise, the successor party to the former National Party would need to either redefine and alter the past, to extrapolate a vision to take into the present and lead into the future, or adopt a (bold) stance it had so far rejected, to apologise. Of further significance is that since its inception the NNP had to reinvent itself, on an ongoing basis, and consequently, its support base has shifted, leading to new audiences. Former president De Klerk, and leader of the NP, unlike his predecessor PW Botha, did appear before the TRC. However, he refused to take any responsibility, and even sued the Commission. His exit left everybody speechless, as Krog writes:

Speechless I stand before the Archbishop. Whence will words now come? For us. We who hang quivering and ill from this soundless space of Afrikaner past? What the hell does one do with this load of decrowned skeletons, origins, shame and ash? (Krog op. cit., 128).

For the sake of political survival, the NNP has behaved like a chameleon – it has changed colours, entered coalitions first with the DA and then with the ruling ANC. Van Schalkwyk has the task to reset the sails with a crew who finds itself rowing a trawler after having sailed a cruise ship, following commands in tongues not even the captain himself (yet) masters. How did Van Schalkwyk – the man who reinvented himself from *kortbroek*²⁹ to suit-wearing party leader – fare with the fifteen minutes speaking time allocated and under what flag?

AZAPO jointly with the Biko, Mxenge and Ribeiro families took the matter of amnesty to the Constitutional Court. The speech held by Pandelani Nefolovhodwe, which represents AZAPO's view on the TRC recommendations, labels the Joint Sitting a debate (like the IFP), however he but commences his contribution by paying tribute to the heroes of the liberation struggle. Instead of advocating the rewriting of history, Nefolovhodwe reiterates AZAPO's known opposition towards the TRC's amnesty provisions. He deplores the fact that the TRC was born out of compromise, however, acknowledges the position the TRC holds within the democratic foundations of South Africa. His party has neither embraced the political context nor the process the TRC stems from.

The official opposition, the DA, is the sole party not to have lodged any legal challenges against the TRC. It approached the Joint Sitting with a strategy that would allow to maximise the number of speakers in the time allocated. Prior to the Joint Sitting, the party leader, Tony Leon, had stated the DA position toward general amnesty as well as lawsuits led by victims of apartheid in the US. Sparks describes the role of the DA as follows: 'while the Democratic Alliance can play a useful role as a

watchdog on government, criticising policies and exposing corruption and maladministration, it is not a true political opposition in the sense that it is not a realistic alternative government' (Sparks op. cit., 199). Although Leon's style is British the party has in recent years made inroads into traditionally NNP voting constituencies (ibid.). In line with the liberal origins of the party, the DA although reinventing itself, has not reneged a rational approach to deliberation and factual expertise. Not only is Dene Smuts, whose speech is analysed one of the longest serving members, she is the Opposition's spokesperson on the TRC, has done all the 'party work from 1994 onwards on this' which adds up to ten years' work, including the crucial stage of 'drafting the law' (Interview1: Dene Smuts, 15 August 2003).

Case Study on Women Orators

President Mbeki repeatedly citing and drawing inspiration from Mongane Wally Serote's novel *To Every Birth Its Blood*, provided a typical male, however, by no means sexist viewpoint. "To Every Birth Its Pain" is more reflective of a woman's perspective of the process of giving birth – and also nation-building in South Africa. While both male and female activists were imprisoned for their political convictions and involvement, numerous are the cases where women were left on their own to fight for survival, against oppression and raise families during the times their husband, partners, fathers or brothers were working in the urban centres or serving sentences. Black women had to endure a triple burden under apartheid and although the "struggle" was a shared experience and common effort crossing gender lines, as well as religious and cultural affiliations, her story does ring differently in many ways. The victims' hearings conducted by the TRC and in particular the women's hearings gave insight into what women had to endure under apartheid, how strong women had to become.

In line with Isocrates' claim in his *Antidosis* 'there is no institution devised by man which the power of speech has not helped to establish' (Wilson, Arnold & Wertheimer 1990, 2), is a need - and challenge - to look out for the voices of women, *la rhétorique au féminin* when exploring Parliamentary rhetoric. Although women's rhetoric does not predominantly feature within the Joint Sitting, Dene Smuts and Mabel Mentor gave strong performances that day, Mentor even defying the traditions that guide Maiden speeches. Therefore, the case study, following the speech analyses of chapters three and four, aims at challenging the use of 'man' in Isocrates' quote by looking at the prime site of deliberation in a democracy and highlighting some of the characteristics of women orators at the South African Parliament.

²⁹ English translation: Short pants, shorts of the type worn by many farmers in South Africa, usually in khaki or beige colours worn with socks.

List of Speakers in Order of Appearance and Party Affiliation
Joint Sitting at Parliament, 15 April 2003
(Hansard Record of Tape, Disk and Takes)

1. President Thabo Mbeki, ANC (Tape: 94, 95, 96, Disk: 353, Takes: A-C.1-29)
2. Premier of Gauteng, Sam Sihlowa, ANC (Tape: 97, Disk: 356, Takes: D.1-9)
3. Tony Leon, DA (Tape: 98, Disk: 357, Takes: E.1-8)
4. Minister of Education³⁰, Prof. Kader Asmal, ANC (Tape: 99, Disk: 358, Takes: F.1-12)
5. Mangaqa A. Mncwango, IFP (Tape: 100, Disk: 359, Takes: G.1-14)
6. Minister of Trade and Industry, Alec Erwin, ANC (Tape: 101, Disk: 360, Takes: H.1-9)
7. Premier of the Western Cape³¹, Marthinus van Schalkwyk, NNP (Tape: 102, Disk: 361, Takes: I.1-12)
8. Semamanyane D. Motubatse-Hounkpatin, ANC (Tape: 103, Disk: 362, Takes: J.1-11)
9. Rev. Kenneth R. Meshoe, ACDP (Tape: 104, Disk: 363, Takes: K.1-8)
10. Maj. Gen. Bantu Holomisa, UDM (Tape: 104, Disk: 363, Takes: K.8-13)
11. Premier of Limpopo³², Adv Ngoako Ramatlhodi, ANC (Tape: 105, Disk: 364, Takes: L.1-5)
12. Dr. Pieter W. A. Mulder, FF (Tape: 107, Disk: 365, Takes: M.1-5)
13. Isaac S. Mfundisi, UCDP (Tape: 107, Disk: 365, Takes: M.6-10)
14. Dr. Motsoko S. Pheko, PAC (Tape: 108, Disk: 365, Takes: M.11-13)
15. M. P. Themba, ANC (Tape: 108, Disk: 366, Takes: N.1-9)
16. Celia-Sandra Botha, DA (Tape: 109, Disk: 367, Takes: O.1-4)
17. Pandelani. J. Nefolovhodwe, AZAPO (Tape: 109, Disk: 367, Takes: O.1-8)
18. M. P. Mentor, ANC (Tape: 110, Disk: 368, Takes: P.1-9)
19. T. E. Millin, IFP (Tape: 110, Disk: 368, Takes: P.10-13)
20. Mudene Smuts, DA (Tape: 111, Disk: 369, Takes: Q.1-5)
21. Derek A. Hanekom, ANC (Tape: 112, Disk: 370, Takes: R.1-12)
22. Sunklavathy Rajbally, MF (Tape: 113, Disk: 371, Takes: S.1-5)
23. Casperus Aucamp, AEB (Tape: 113, Disk: 371, Takes: S.5-10)
24. Adv. Johnny H. de Lange, ANC (Tape: 114, Disk: 372, Takes: T.1-14)
25. Mahomed F. Cassim, IFP (Tape: 116, Disk: 373, Takes: U.1-2)
26. Wetshotsile J. Seremane, DA (Tape: 116, Disk: 373, Takes: U.3-5)
27. Minister of Justice and Constitutional Development³³, Penuell M. Maduna, ANC (Tape: 116, Disk: 373, Takes: V.1-10)

Party Acronyms and Number of Speakers represented by party:

ACDP African Christian Democratic Party	1
AEB <i>Afrikaner Eenheids Beweging</i>	1
ANC African National Congress	11
AZAPO Azanian People's Organisation	1
DA Democratic Alliance	3
FF Freedom Front	1
IFP Inkatha Freedom Party	3
MF Minority Front	1
NNP New National Party	1
PAC Pan African Congress of Azania	1
UCDP United Christian Democratic Party	1
UDM United Democratic Movement	1

³⁰ Following the 2004 elections, Asmal has been replaced by Naledi Pandor but retained his seat in the NA.

³¹ The ANC's Ebrahim Rasool has taken over premiership in 2004.

³² Replaced by Sello Moloto.

³³ Brigitte Mabandla succeeded Maduna in May 2004.

chapter two The Rhetoric of the Ruling Party

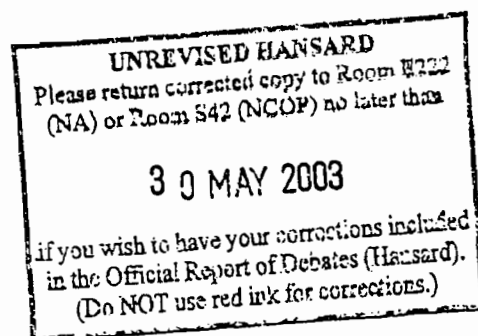
This chapter seeks to analyse three of the eleven speeches given by members of the ANC. Among the speeches chosen is the address given by the President, which will explore Presidential agency, its relationship to Parliament in the Joint Sitting's "non-debatable" framework, and the arguments that shape the responses given to the recommendations made by the TRC. Maiden speeches occupy a unique position in an MP's career and within Parliamentary rules and regulations and part of the schedule of the Joint Sitting on 15 April 2003 were two (female) members making their first address in Parliament. In order to gain insight on the effect of Parliamentary rules and procedures on deliberation, making a further enquiry into the ANC's position and women's rhetoric, the speech delivered by the Honourable Mabel Mentor, a novice to Parliamentary speaking, however not to politics nor speech-making, is the second speech to be analysed. The final speaker on the day of the joint sitting was in a unique position to shape the event, a position only rivalled by the President. The Minister of Justice and Constitutional Development was that final speaker, who swept through some of the arguments and claims brought forward before him, and who delivered his party's peroration, which would be an effective extension to President Mbeki's address.

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TUESDAY, 15 APRIL 2003

PROCEEDINGS AT JOINT SITTING

Members of the National Assembly and the National Council of Provinces assembled in the Chamber of the National Assembly at 11.11.11. .

The Speaker of the National Assembly took the Chair and requested members to observe a moment of silence for prayers or meditation.

CALLING OF JOINT SITTING

[TAKE IN FROM MINUTES]

ADDRESS ON FINAL REPORT OF TRUTH AND RECONCILIATION COMMISSION

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- | The PRESIDENT OF THE REPUBLIC: Madame Speaker and Deputy Speaker, Chairperson and Deputy Chairperson of the Council of Provinces, Deputy President, Chief Justice and members of the judiciary, former members of the Truth and Reconciliation Commission, Ministers and Deputy Ministers, distinguished Premiers, honoured traditional leaders, leaders of the Chapter Nine institutions, hon leaders of our political parties, your excellencies ambassadors and high commissioners, hon members, distinguished guests, fellow South Africans, we have convened today as the elected representatives of the people of South Africa to reflect on the work of the Truth and Reconciliation Commission, to examine its recommendations and to find answers, in practical terms, to the question: Where to from here?
- 2 We wish to acknowledge the presence of commissioners of the erstwhile TRC, who took time off their busy schedules to join us in commending the report to our national Parliament.
- 3 I am confident that I speak on behalf of all hon members when I say to these commissioners and, through them, to Archbishop Desmond Tutu and the other commissioners not present here today that South Africa sincerely appreciates the work that they have

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done. Our thanks also go to the staff of the commission and all who contributed to the success of the work of the TRC, which we are justified to celebrate today. [Applause.]

- 4 They did everything humanly possible to realise the objectives of a process novel in its conception, harrowing in its execution and, in many respects, thankless in balancing expectation and reality.
- 5 I must recognise the presence in the House of Minister Dullah Omar, who was at the very beginning of this process. [Applause.]
- 6 Our assessment of the TRC's success cannot, therefore, be based on whether it has brought contrition and forgiveness, or whether, at the end of its work, it handed us a united and reconciled society. For this was not its mandate. What the TRC set out to do, and has undoubtedly achieved, is to offer us the signposts in the long march to these ideals.
- 7 What it was required to do, and has accomplished, was to flag the dangers that can beset a state not premised on popular legitimacy and the confidence of its citizens, and the ills that would befall any society founded on prejudice and a belief in a

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master race.

- 8 The extent to which the TRC could identify and pursue priority cases; its ability to bring to its hearings all relevant actors; the attention that it could pay to civil society's role in buttressing an illegitimate and illegal state; and the TRC's investigative capacity to pursue difficult issues with regard to which the actors had decided to spurn its call for co-operation - all these weaknesses were those of society and not the TRC as such. And we make bold to say that all these complexities make the product of the work of the TRC that much more outstanding and impressive.
- 9 The pain and the agony that characterised the conflict among South Africans over the decades, so vividly relived in many hearings of the commission, planted the seed of hope - of a future bright in its humanity and in its sense of caring.
- 10 It is a future whose realisation gave life to the passion for the liberation of our people of Oliver Tambo and Chris Hani, the 10th anniversary of whose passing away we mark this month. This includes others such as Robert Mangaliso Sobukwe and Steve Bantu Biko, who passed away 25 years ago this year and last year

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respectively. They joined and have since been joined by many other patriots to whom freedom meant life itself.

- 11 We are indebted to all of them, and we shall work to ensure that their memory lives on in the minds of generations to come, inspired by our common determination that never again should one South African oppress another! [Applause.]
- Handwritten note: - 1994/1995? (perhaps 1994) ... of ... - 1992*
- 12 At a critical moment in our history, as a people, we came to the conclusion that we must, together, end the killing. We took a deliberate decision that a violent conflict was neither in the interest of our country nor would it solve our problems.
- 13 Together, we decided that in the search for a solution to our problems, nobody should be demonised or excluded. We agreed that everybody should become part of the solution, whatever they might have done and represented in the past. This related both to negotiating the future of our country and to working to build the new South Africa we had all negotiated. We agreed that we would not have any war crimes tribunals or take to the road of revenge and retribution.
- 14 When Chris Hani, a great hero of our people, was murdered, even

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as our country was still governed by a white minority regime, we who represented the oppressed majority said: "Let those who remain in positions of authority in our country carry out their responsibility to bring those who murdered him to book." We called on our people neither to take the law into their own hands nor to mete out blind vengeance against those they knew as the beneficiaries of apartheid oppression.

- 15 We imposed a heavy burden, particularly on the millions who had been the victims of this oppression, to let bygones be bygones. We said to them: "Do not covet the material wealth of those who benefited from your oppression and exploitation, even as you remain poor."
- 16 We walked among their ranks saying that none among them should predicate a better future for themselves on the basis of the impoverishment of those who had prospered at their expense. We said to them that on the day of liberation, there would be no looting; there would be no celebrations that would result in chaos, and there would be no chaos.
- 17 We said that as the majority, we had a responsibility to make our day of liberation an unforgettable moment of joy, with none

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condemned to remember it forever as a day of bitter tears.

- 18 We said to our people that they should honour the traditions they had built and entrenched over centuries, never to hate people because of their colour or race, always to value all human beings, and never to turn their backs on the deeply entrenched sentiment informed by the spirit of ubuntu, to forgive, understanding that the harm done yesterday cannot be undone today by a resolve to harm another.
- 19 We reminded the masses of our people of the values their movement for national liberation had upheld throughout a turbulent century, of everything they had done to defend both this movement and its values, of their obligation never to betray this noble heritage. Our people heeded all these calls, even as many lives were being lost in continuing violence.
- 20 By reason of the generosity and the big hearts of the masses of our people, all of us have been able to sleep in peace, knowing that there will be no riots in our streets. Because these conscious masses know what they are about, the Truth and Reconciliation Commission was able to do its work enjoying the co-operation of those who for ages had upheld the vision of a

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united humanity in which each would be one's brother and sister. These are an heroic people whose greatest reward is the liberation of their country. Of them, the TRC says:

2| Others did not wish to be portrayed as a "victim". Indeed, many said expressly that they regarded themselves instead as soldiers who had voluntarily paid the price of their struggle [.] [.] [.] . Many have expressed reservations about the very notion of a "victim", a term which is felt to denote a certain passivity and helplessness [.] [.] [.] . Military operatives of the liberation movements generally did not report violations they experienced to the Commission, although many who were arrested experienced severe torture. This is in all likelihood a result of their reluctance to be seen as "victims", as opposed to combatants fighting for a moral cause for which they were prepared to suffer such violations. The same can be said for most prominent political activists and leadership figures [.] [.] [.] . The Commission did not, for example, receive a single Human Rights Violation statement from any of the Rivonia trialists.

22 Some of these, who had to go through the torture chambers of the apartheid regime to bring us our liberty, are with us in this

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Chamber today. There are others, who sit on the balcony as visitors, who lost their loved ones whom they pride as liberators, and others who also suffered from repression.

23 Surely all of us must feel a sense of humility in the face of such selfless heroism and attachment to principle and morality, the assertion of the nobility of the human spirit that would be demeaned, denied and degraded by any suggestion that these heroes and heroines are but mere victims, who must receive a cash reward for being simply and deeply human.

24 I know there are some in this House who do not understand the meaning of what I have just said. They think I have said what I have said to avoid the payment of reparations to those whom the TRC has identified as "victims", within the meaning of the law.

25 Indeed, the TRC itself makes the gratuitous comment (para 16, p 163, Vol 6) that:

26 Today, when the government is spending so substantial a portion of its budget on submarines and other military equipment, it is unconvincing to argue that it is too financially strapped to meet this minimal (reparations)

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commitment.

- 27 Apart from anything else, the Government has never presented such an argument. It is difficult to understand why the commission decided to make such a statement.
- 28 Elsewhere in the same volume, the Rev Frank Chikane, Director-General in the Presidency and former General Secretary of the SA Council of Churches, is falsely reported as having made a presentation to the Amnesty Committee, which he never did.
- 29 He is then said to have told this committee that he had participated in killing people. We do not understand how this grave and insulting falsification found its way into the report of the TRC. We are pleased to report that Archbishop Tutu has written to Rev Chikane to apologise for this inexplicable account.
- 30 The poet Mongane Wally Serote teaches us: "to every birth its blood". And so, today we acknowledge the pain that attended the struggle to give birth to the new life that South Africa has started to enjoy. In this era of increased geopolitical tension, we dare celebrate as South Africans that we have found home-

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grown solutions that set us on a course of reconstruction and development, nation-building, reconciliation and peace among ourselves.

- 31 At this time, when great uncertainty about the future of our common world envelops the globe, we dare stand on mountain tops to proclaim our humble contribution to the efforts of humanity to build a stable, humane and safer South Africa and, by extension, a more stable, more humane and safer world.
- 32 If we should find correct answers to the question, "Where to from here?" we will need to remind ourselves of the objectives of the TRC from its very inception, so aptly captured in the preamble to the Promotion of National Unity and Reconciliation Act:
- 33 1.1.1. the Constitution of the Republic of South Africa, 1993, provides a historic bridge between the past of a deeply divided society characterised by strife, conflict, untold suffering and injustice, and a future founded on the recognition of human rights, democracy and peaceful co-existence for all South Africans, irrespective of colour, race, class, belief or sex;

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- 34 |.|.|. the Constitution states that the pursuit of national unity, the well-being of all South African citizens and peace require reconciliation between the people of South Africa and the reconstruction of society;
- 35 |.|.|. it is deemed necessary to establish the truth in relation to past events as well as the motives for and circumstances in which gross violations of human rights have occurred, and to make the findings known in order to prevent a repetition of such acts in future;
- 36 |.|.|. the Constitution states that there is a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for ubuntu but not for victimisation |.|.|.
- 37 I am certain that we are all of us at one that the pursuit of national unity, the wellbeing of all South African citizens and peace require reconciliation among the people of South Africa and the reconstruction of our society.
- 38 These are the larger and fundamental objectives that should

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inform all of us as we work to give birth to the new South Africa. The occasion of the receipt of the report of the TRC should give us an opportunity to reflect on these matters.

39 Both singly and collectively, we should answer the question: How far have we progressed in the last nine years towards the achievement of the goals of national unity, national reconciliation and national reconstruction? Both singly and collectively, we have to answer the question: What have we contributed to the realisation of these goals?

40 These larger questions, which stand at the heart of what our country will be, did not fall within the mandate of the Truth and Reconciliation Commission. The TRC was therefore but an important contributor to the achievement of the larger whole, occupying an important sector within the larger process of the building of a new South Africa.

41 As stated in the Act, the TRC had to help us to establish the truth in relation to past events as well as the motives for and circumstances in which gross violations of human rights occurred, and to make the findings known in order to prevent a repetition of such acts in future.

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42 It had to help us to promote understanding and avoid vengeance, to extend reparation to those who had been harmed and discourage retaliation, to rely on the spirit of ubuntu as a deterrent against victimisation.

43 The TRC has done its work as was required. As stipulated in the TRC Act, we are here to make various recommendations to our national Parliament, arising out of the work of the TRC.

44 As hon members are aware, there is a specific requirement in the law that Parliament should consider and take decisions on matters relating particularly to reparations. It would then be the task of the executive to implement these decisions. The law also provides that the national legislature may also make recommendations to the executive on other matters arising out of the TRC process, as it may deem fit.

45 Let us now turn to some of the major specific details that the TRC enjoins us to address. The first of these is the matter of reparations.

46 First of all, an integrated and comprehensive response to the

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TRC report should be about the continuing challenge of reconstruction and development: deepening democracy and the culture of human rights, ensuring good governance and transparency, intensifying economic growth and development, enhancing our social programmes, improving citizens' safety and security and contributing to the building of a humane and just South Africa and a humane and just world order.

47 The TRC also argues for systematic programmes to project the symbolism of struggle and the ideal of freedom. This relates to such matters as academic and informal records of history, the remaking of cultural and art forms, erecting symbols and monuments that exalt the freedom struggle, including new geographic and place names. The Government accepts these recommendations.

48 Special emphasis will continue to be paid to the rehabilitation of communities that were subjected to intense acts of violence and destruction. Experience gained with the projects in Katorus in Gauteng and Mpumalanga in KwaZulu-Natal demonstrates that great progress can be made in partnership between communities and government.

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- 49 Further, with regard to specific cases of individual victims identified by the TRC, the Government has put in place and will intensify programmes pertaining to medical benefits, educational assistance, the provision of housing and so on. From time to time, Ministers have elaborated and will continue to expatiate on the implementation of these and other related programmes.
- 50 The TRC has reported that about 22 000 individuals or surviving families appeared before the commission. Of these, about 19 000 required urgent reparations, and virtually all of them, where the necessary information was available, were attended to as proposed by the TRC with regard to interim reparations.
- 51 With regard to final reparations, the Government will provide a once-off grant of R30 000 to those individuals or survivors designated by the TRC. This is over and above other material commitments that we have already mentioned.
- 52 We intend to process these payments as a matter of urgency, during the current financial year. Combined with community reparations, and assistance through opportunities and services we have referred to earlier, we hope that these will offer some relief for the harm these individuals experienced.

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- 53 We do so with some apprehension, for as the TRC has underlined, no one can attach monetary value to life and to suffering. [Applause.] Nor can an argument be sustained that the efforts of millions of South Africans to liberate themselves were for monetary gain. We are convinced that, to the millions who spared neither life nor limb in struggle, there is no bigger prize than freedom itself and the continuing struggle to build a better life for all. [Applause.]
- 54 The second of the specific details in the TRC recommendations pertains to the issue of amnesty. A critical trade-off contained in the TRC process was between normal judicial processes on the one hand, and the establishment of the truth, reparations and amnesty on the other.
- 55 Besides the imperatives of managing the transition, an important consideration that had to be addressed when the TRC was set up was the extent to which the new democratic state could pursue legal cases against perpetrators of gross human rights violations, given the resources that would have to be allocated to this, the complexities of establishing the facts beyond reasonable doubt and the time it would take to deal with all the

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cases, as well as the bitterness and instability that such a process would wreak on society.

- 56 The balance that the TRC Act struck among these competing demands was reflected in the national consensus around the provision of amnesty - in instances where perpetrators had provided the true facts about particular incidents - and restorative justice which would be effected in the form of reparations.
- 57 Given that a significant number of people did not apply for amnesty, what approach does Government place before the national legislature and the nation on this matter?
- 58 Let us start off by reiterating that there shall be no general amnesty. Any such approach, whether applied to specific categories of people or regions of the country, would fly in the face of the TRC process and subtract from the principle of accountability, which is vital not only in dealing with the past, but also in the creation of a new ethos within our society.
- 59 Yet we also have to deal with the reality that many of the

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participants in the conflicts of the past did not take part in the TRC process. Among these are individuals who were misled by their leadership to treat the process with disdain. Others calculated that they would not be found out, due either to poor TRC investigations or to what they believed and still believe is too complex a web of concealment for anyone to unravel. Yet other operatives expected the political leadership of the state institutions to which they belonged to provide the overall context against which they could present their cases: and this was not to be.

6. All of this reality cannot be avoided. Government is of the firm conviction that we cannot resolve this matter by setting up yet another amnesty process, which in effect would mean suspending the constitutional rights of those who were at the receiving end of gross human right violations.

61 We have therefore left this matter in the hands of the National Directorate of Public Prosecutions, for it to pursue any cases that, as is normal practice, it believes deserve prosecution and can be prosecuted. This work is continuing.

62 However, as part of this process and in the national interest,

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the National Directorate of Public Prosecutions, working with our intelligence agencies, will leave its doors open for those who are prepared to divulge information at their disposal and to co-operate in unearthing the truth, for them to enter into arrangements that are standard in the normal execution of justice, and which are accommodated in our legislation.

[Applause.]

63 This is not a desire for vengeance, nor would it compromise the rights of citizens who may wish to seek justice in our courts.

It is critically important that, as a government, we should continue to establish the truth about the networks that operated against the people. This is an obligation that attaches to the nation's security today, for some of these networks still pose a real or latent danger against our democracy. In some instances, caches of arms have been retained which lend themselves to employment in criminal activity.

64 This approach leaves open the possibility for individual citizens to take up any grievance related to human rights violations with the courts.

65 Thirdly, in each instance where any legal arrangements are

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entered into between the NDPP and particular perpetrators as we have proposed, the involvement of the victims will be crucial in determining the appropriate course of action.

- 66 Relevant departments are examining the practical modalities of dealing with this matter, and they will also establish whether specific legislation is required in this regard.
- 67 We shall also endeavour to explain South Africa's approaches on these matters to sister governments across the world. Our response to any judicial matters from these countries will be handled in this spirit and through the legal system. In this regard, we wish to reiterate our call to governments that continue to do so, that the maltreatment of former anti-apartheid fighters, based on the legal definitions of an illegal regime characterised by the United Nations as a crime against humanity, should cease.
- 68 In the recent past, the issue of litigation and civil suits against corporations that benefited from the apartheid system has arisen sharply. In this regard, we wish to reiterate that the South African Government is not and will not be party to such litigation. [Applause.]

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69 In addition, we consider it completely unacceptable that matters that are central to the future of our country should be adjudicated in foreign courts which bear no responsibility for the wellbeing of our country and the observance of the perspective contained in our Constitution of the promotion of national reconciliation. [Applause.]

70 While Government recognises the right of citizens to institute legal action, its own approach is informed by the desire to involve all South Africans, including corporate citizens, in a co-operative and voluntary partnership to reconstruct and develop South African society. Accordingly, we do not believe that it would be correct for us to impose the once-off wealth tax on corporations proposed by the TRC. [Applause.]

71 Consultations are continuing with the business community to examine additional ways in which they can contribute to the task of the reconstruction and development of our society, proceeding from the premise that this is in their own self-interest. In addition to intensifying work with regard to such tasks as poverty eradication, and programmes such as black economic empowerment, encouraging better individual corporate social

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responsibility, implementing equity legislation and taking advantage of the Skills Training Levy, we intend to improve the work of the Business Trust.

72 In this context, we must emphasise that our response to the TRC has to be integrated within the totality of the enormous effort in which we are engaged, to ensure the fundamental social transformation of our country. This requires that at all times we attain the necessary balance among the various goals we have to pursue.

73 The TRC also recommends that what it describes as the beneficiaries of apartheid should also make contributions to a reparations fund. The Government believes that all South Africans should make such contributions. In the pursuit of the goal of a nonracial society, in which all South Africans would be inspired by a common patriotism, we believe that we should begin to learn to work together, uniting to address the common national challenges, such as responding to the consequences of the gross violations of human rights of which the TRC was seized.

74 In this regard, I am certain that members of our Government will

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be among the first to make their contributions to the reparation fund, despite the fact that they stood on one side of the barricades as we engaged in struggle to end the apartheid system. [Applause.]

75 Many in our country have called for a national day of prayer and traditional sacrifice to pay tribute to those who sacrificed their lives and suffered during the difficult period of oppression and repression whose legacy remains with us. The Government accepts this suggestion and will consult as widely as possible to determine the date and form of such prayer and traditional sacrifice. This is consistent with, and would be an appropriate response to, the proposals made by the TRC for conferences to heal the memory and honour those who were executed, as well as to cleanse the living.

76 We shall also continue to work in partnership with countries of the subcontinent, jointly to take part in the massive reconstruction and development effort that ^{ne} SADC has identified as critical to building a better life for all. The peoples of Southern Africa, including the majority in South Africa, endured untold privations and were subjected to the destabilisation and destruction of property and infrastructure and the taking away

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of lives. They all deserve the speeding up of the programmes of integration, reconstruction and development that governments of the region have agreed upon.

77 The Truth and Reconciliation Commission has made many detailed observations and recommendations on structures and systems, which will be dealt with by relevant Ministers and departments.

78 For the purposes of reparations, the Government has already established the President's Fund, which is now operational, and has, as we earlier indicated, successfully dealt with the matter of the urgent interim reparations. Like the TRC, we do hope that citizens from all sectors will find it within themselves to make a contribution to this fund. Most of the resources that have been allocated for the individual and community reparations that we referred to will be sourced from this fund, over and above the normal work of the relevant departments.

79 We concur with the TRC that intensive work should be undertaken on the matter of monuments as well as geographic and place names. A trust with the requisite infrastructure, headed by Mongane Wally Serote, has been set up to implement the main project in this regard, which is the construction of the Freedom

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Park, whose constituent parts are the memorial, the garden of remembrance and the museum. This should start by the 10th anniversary of freedom in 2004.

- 80 The National Directorate of Public Prosecutions and relevant departments will be requested to deal with matters relating to people who were unaccounted for, postmortem records and policy with regard to burials of unidentified persons. We would like to encourage all persons who might have any knowledge of people still unaccounted for to approach the National Directorate of Public Prosecutions, the SA Police Service and other relevant departments with that information.
- 81 The Department of Justice and Constitutional Development will monitor the implementation of all of these programmes, and it will report to Cabinet on an ongoing basis.
- 82 What we have identified today, arising out of the report of the TRC, forms part of the panoply of programmes that define the first steps in a journey that has truly begun. South African society is changing for the better. The tide has turned and the people's contract for a better tomorrow is taking shape.

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- 83 The goals we defined for ourselves a decade ago, as we adopted the interim Constitution - to pursue national unity, to secure peace and the wellbeing of all South African citizens, to achieve national reconciliation and the reconstruction of our society - have not been fully ~~been~~ realised, despite the progress we have made.
- 84 The situation we face demands that none of us should succumb to the false comfort that now we live in a normal society that has overcome the legacy of the past, and which permits us to consider our social tasks as mere business as usual.
- 85 Rather, it demands that we continue to be inspired by the determination and vision that enabled us to achieve the transition from apartheid rule to a democratic order in the manner that we did. It demands that we act together as one people to address what are truly national tasks.
- 86 We have to ask ourselves and honestly answer simple questions: Have we succeeded in creating a nonracial society? The answer to this question is no. Have we succeeded in building a nonsexist society? The answer to that question is no. Have we succeeded fully in addressing the needs of the most vulnerable in our

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society - the children, the youth, people with disabilities and the elderly? Once again the answer to this question is no.

87 Without all this, it is impossible for us to claim that we have met our goals of national reconciliation and reconstruction and development. It is not possible for us to make the assertion that we have secured the wellbeing of all South African citizens.

88 The road we have travelled and the advances we have made convey the firm message that we are moving towards the accomplishment of the objectives we set ourselves. They tell us that, in the end, however long the road we still have to travel, we will win.

89 In the larger sense, we were all victims of the system of apartheid, both black and white. Some among us suffered because of oppression, exploitation, repression and exclusion. Others among us suffered because we were imprisoned behind prison walls of fear, paralysed by inhuman belief in our racial superiority and called upon to despise and abuse other human beings. Those who do such things cannot but diminish their own humanity.

90 To be true to ourselves as human beings demands that we act

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together to overcome the legacy of this common and terrible past. It demands that we do indeed enter into a people's contract for a better tomorrow.

91 Together we must confront the challenge of steering through a complex transition that demands that we manage the historical fault-lines, without papering over the cracks, moved by a new and common patriotism.

92 It says to all of us that we must honour those who shed their blood so that we can sit together in this Chamber by doing all the things that will make it possible for us to say that this South Africa that we have rebuilt together truly belongs to all who live in it.

93 Madam Speaker, I am honoured to commend the report of the Truth and Reconciliation Commission to our national Houses of Parliament and to the nation. I thank you very much. [Applause.]

The SPEAKER: We thank you, Mr President. Hon members, the Houses of Parliament will now begin the national debate on the report in joint session.

The PREMIER OF GAUTENG (Mr M S Shilowa)

2.2. The President's Speech Analysis

introduction

During the ceremony held at Union Buildings 21 March 2003 to mark the handing-over of volumes six and seven of the TRC Report, containing victim findings as well as recommendations, Archbishop Tutu, referring to victims of human rights violations, said that they had 'waited long, too long, for their reparations' (Lelyveld in: Sunday Argus 23 March 2003, 10). Mbeki on accepting the two volumes on behalf of government, declared that the report would be studied 'with the close attention it deserves' and a response on the recommendations it contained were to be follow 'as quickly as possible' (ibid.).

rhetorical moment

Presidential agency often finds itself in conflict with Parliament as well as civil agencies. In the case of South Africa, this is due to the fact that the President is not elected directly by the people but by its representatives, Haigh's princes and princesses. What were the implications of this double role on the occasion of the joint sitting? The President, in line with his position and expectations arising from this position, was to comment on the TRC's report, effectively pass judgement and outline policies to be adopted by government. Salazar sums up this conflation of agencies: He passed judgement and he used it to formulate a policy concerning, in particular, reparation' (Salazar 2004, 56). In terms of rhetorical agency,

these are two different rhetorical moves. By vesting on himself a duty to evaluate, the President reinforced the impact, the *ethos* of the rhetorical presidency, in short he demonstrated his better ability to read the Constitution, to correlate the Constitution to the twin commandment of the TRC Act, as we must not forget that the TRC Act is grounded in the Epilogue of the Interim Constitution, that it precedes the Constitution just as reconciliation is the grounding for the nation (ibid.).

While 'the president's only rhetorical duty as president is to present the Report without passing judgement, [...] he has indeed the duty to defend his party's and his cabinet's take on the Report, and in that case, to develop a deliberative argument, based on expediency, no longer on justice' (ibid.) In 2002, Mbeki came under heavy criticism, especially vocal were Archbishop Tutu and the DA, for having granted a presidential pardon to '33 criminals convicted of serious crimes, including multiple murder' (Battersby 2002, 1). A total of '20 had earlier been refused amnesty' (ibid.), hence the announcement on reparation was awaited with as great apprehension as those on amnesty and prosecution.

type of speech

All three types of rhetoric overlap in Mbeki's address. When referring to the anti-apartheid struggle and the 'heroes and heroines' pursuing 'noble ideals, who made sacrifices, at times the ultimate, to fight the white minority regime, his speech is epideictic. He also qualifies these activists as 'liberators'. In line with this type of discourse are an array of values:

Surely, all of us must feel a sense of humility in the face of such selfless heroism and attachment to principle and morality, the assertion of the nobility of the human spirit that would be demeaned, denied and degraded by any suggestion that these heroes and heroines are but mere 'victims', who must receive a cash reward for being simply and deeply human.³⁴

Mbeki also refers to some famous liberation heroes, names that have by now become rallying points and values in themselves and evoking Serote's *To Every Birth Its Blood*:

It is a future whose realisation gave life to the passion for the liberation of our people of Oliver Tambo and Chris Hani, the 10th anniversary of whose passing away we mark this month. This includes others such as Robert Mangaliso Sobukwe and Steve Bantu Biko, who passed away 25 years ago this year and last year respectively. They joined and have since been joined by many other patriots to whom freedom meant life itself.³⁵

At some point Mbeki even makes an explicit reference to values:

We reminded the masses of our people of the values their movement for national liberation had upheld throughout a turbulent century, of everything they had done to defend both this movement and its values, of their obligation never to betray this noble heritage.³⁶

When dealing with the TRC, Mbeki adopts a more sober, at times critical discourse and given the commission's mandate, all matter regarding amnesty and prosecution as well as litigation cases in the US, these sections are forensic. Due to the fact that the joint sitting was an occasion for Parliament to comment on the recommendations made by the TRC, policy matters, in particular on payment of reparations are dealt with in deliberative discourse.

Again, for the sake of a rhetorical analysis, it becomes important to bear in mind the "non-debatable" provisions contained in the Joint Rules and Regulations, guiding all joint sitting. Salazar sums their effect – generally and on Mbeki's speech in particular – on the 15 April joint sitting up as follows:

Parliament judges the TRC. But, because Parliament has not been called to accept or reject the Report by way of a vote, this forensic examination has not achieved its internal end (a judgement by censure or approval). [...] The president's speech was, in that respect, well constructed. [...] He passed judgement and he used it to formulate a policy concerning, in particular, reparation (Salazar, op. cit., 54 & 55).

³⁴ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.9)

³⁵ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.4 & 5)

³⁶ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.7)

Mbeki's lengthy address is divided into ninety-three paragraphs, varying in lengths from thirteen lines to just three. The *exordium* is lengthy, acknowledging the variety of people present in the audience and informs members and 'strangers' present of the purpose of the joint sitting. Paragraphs two to six are short, each containing a brief message, the shortest being the one recognising Dullah Omar's presence in the House. After this statement of fact, Mbeki pursues to assess the TRC process and retrace South Africa's violent past from paragraphs six up to twenty-four. Paragraph twenty-four marks a turning point in his narration, as he changes from an observant role to a subjective 'I' and states 'I know there are some in this House who do not understand the meaning of what I have just said.'³⁷ This paragraph is pivotal and together with paragraphs fifty-three and fifty-four, when the President announces payment of reparation, the ruling out further amnesty provisions, contains the climax of the speech. Both these sections would serve the press to comment on the joint sitting, emphasising however, different angles depending on the nature of the publication.

Up to paragraph forty-three Mbeki confirms the points made initially. Along with a change of discourse from epideictic to deliberative, emphasised from paragraph forty-three onwards: 'The TRC has done its work as required. As stipulated in the TRC Act, [...]'³⁸ Mbeki provides his audience with an outline of the policies government is to adopt in response to the recommendations made by the TRC. These paragraphs are fairly even in length, regularly alternating between a minimum of three and a maximum of eight lines. Given the detailed and varied recommendations contained in this section, this alternation to avoid delivering too much information, densely put together, would enhance understanding for the audience. At the beginning of paragraph sixty-five, he even numbers his next point ('thirdly') in order to systematise the message conveyed, albeit not having indicated first and secondly points previously.

In order to provide his audience with a broader perspective, with regard to the recommendations made by the TRC and to conclude his speech, Mbeki gives a pragmatic summary of achievements made in the first nine years of South Africa's democracy and points toward areas where work is still in need to be done. These last paragraphs, in particular the last four (ninety-ninety-three), are short and contain ethical appeals to the audience, closing off by addressing the Speaker and commending the report to 'our national Houses of Parliament and to the nation.'³⁹

³⁷ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.9)

³⁸ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.14)

³⁹ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.29)

The most prevalent appeal Mbeki uses addressing his audience are emotional appeals, aimed at stirring emotions. Pursuing the goal of uniting his audience, he rallies them around the shared experience of the past, converted into a commonly shared experience through the TRC's work. Mbeki makes appeals to values and uses this new and collective memory, in which all are equal in their suffering and making sacrifices as a rallying point. The values he mostly refers to are abstract values, among them first and foremost freedom, justice and *ubuntu*. Perelman, in exposing the idea of a universal audience, observes that universal values 'are the object of a universal agreement as long as they remain undetermined. When one tries to make them precise, applying them to a situation or to a concrete action, disagreements and the opposition of specific groups are not long in coming' (Perelman 1982, 27). Exploring the concept further, he notes :

Universal values play an important role in argumentation because they allow us to present specific values, those upon which specific groups reach agreement, as more determined aspects of the universal values. This insertion of specific values into a framework which goes beyond specific agreements by recognising both the importance of universalisation of values and also the importance that we attach to the agreement of the universal audience (ibid.).

Although Mbeki refers to values, personified in struggle heroes of the likes of Biko or Sobukwe, shared by a majority of South Africans but not all, he creates the ground for these to become collective values in arguing Biko and Sobukwe's embrace of universal ideals and humanity. This is a significant move, given the PAC's break away from the ANC in 1959. Student leader Biko's Black Consciousness philosophy differed from the ANC's and became a voice and a movement of its own in the 1970s . While it is difficult to ascertain the success of Mbeki's rhetorical bodies in persuading his audience, it is evident from his speech that he did not antagonise or exclude those who may not relate to the same heroes and heroines of the past, conveying a message along the lines of diversity but unity:

The pain and the agony that characterised the conflict among South Africans over the decades, so vividly relived in many hearings of the commission, planted the seed of hope – of a future bright in its humanity and in its sense of caring.⁴⁰

Ubuntu, the African "community-based" philosophical ideal serves as an emotional appeal, even though Mbeki does not explain a significant aspect of the 'conception of community'. This omission, had it been a debate and not a joint sitting, could have served as a point of attack, 'because the implied proposition may be the vulnerable spot in the other person's argument' (Corbett op. cit., 62). What is effectively an abridged proverb (*umuntu ngumuntu ngabantu* – a person depends on persons to be a person⁴¹) is an enthymeme, the rhetorical equivalent of syllogism, which

⁴⁰ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.4)

⁴¹ Augustine Shutte, *Philosophy for Africa*. University of Cape Town Press, Cape Town, 1993, p. 8.

as Aristotle puts it - is the instrument of deductive reasoning peculiar to the art of rhetoric. It often suppresses some of the links in the chain of argument because the audience is impatient with, or incapable of attending to, the kind of closely reasoned, full-scale argument associated with formal logic Corbett op. cit., 61).

By making use of such emotional and ethical appeals Mbeki himself adopts a certain ethos.

Among the non-artistic modes of persuasion used, in particular during epideictic sections of the speech, are references to the law, the Act and prosecutions, but also quotes from the TRC report, testimony and numerous examples. In particular the latter category, which gains persuasive weight due to probability, could nevertheless have been points of contention 'on the grounds of strict logic a single example does not prove anything [...]' (Corbett op. cit., 70). As indicated above, the absence of a rhetorical situation has direct impact on argumentation and may lead to persuasion of the audience, however convincing it is unlikely to occur.

topoi

One of the means used in epideictic rhetorical discourse is to praise the virtues of a person or group of individuals. Mbeki's reference to 'the movement', the ANC and the many 'heroes and heroines' as well as the eulogies (Sobukwe, Biko, Hani, Tambo) enhance the ceremonial nature of the joint sitting. In his speech, Mbeki upholds the virtue of justice and as main *topos ubuntu*, which stands for unity, and supports his pledge for solidarity and the *topos* of the nation, that is in need of (re-)building. The latter effort is supported by range of terms that accentuate the need to 'work together', advocate for a national duty to get involved, to take up the challenge of rebuilding the country 'non-racial society', 'common patriotism', 'uniting', 'common national challenges', commends the TRC's report to 'National Houses and the *nation*'⁴² [my emphasis].

As part of the forensic character of his address are also the *topoi* of past fact and future fact, law (references to the Act and the TRC's mandate) and one maxim ('let bygones be bygones').

Mbeki presents history as linear and uses a biblical *topos*, the march to freedom, to the promised land. For AZAPO, this would be Azania, for Mbeki it is South Africa. Mandela's autobiography not surprisingly is entitled *Long Walk to Freedom* and Mbeki, having taken the relay between Mandela and the founding years, describes the journey as follows:

⁴² Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.28)

At a critical moment in our history, as a people, we came to the conclusion that we must, together, end the killing. We took a deliberate decision that a violent conflict was neither in the interest of our country nor would it solve our problems.⁴³

What he describes is the moment of stasis for which the TRC offering 'the signposts in the long march to these ideals' accomplished '[...] to flag the dangers [...]'⁴⁴. The journey and the nation also is linked to the topoi of blood, which symbolises life. Mbeki, unlike Mandela the father of the nation, is a godfather wants to see the young South Africa reaching age of maturity.

lexis

President Mbeki's address is made up of one hundred and sixty-six sentences, the majority of which is long and complex in line with the narrative style Mbeki adopts in these paragraphs. A number of paragraphs are short in order to emphasise the pertinent message they contain. The same applies for a number of sentences, aiming at enhancing the message the President aims to convey: 'I must recognise the presence in the House of Minister Dullah Omar, who was at the very beginning of this process;⁴⁵ 'The poet Mongane Wally Serote teaches us: "to every birth its blood"⁴⁶; 'The TRC has done its work as required'⁴⁷; 'The Government accepts these recommendations'⁴⁸; 'Let us start off by reiterating that there shall be no general amnesty'⁴⁹; 'I know there are some in this House who do not understand the meaning of what I have just said'⁵⁰. The majority of the sentences are however long and complex, at times even convoluted, up to eight lines long: '...a future whose realisation gave life to the passion for the liberation of our people of Oliver Tambo and Chris Hani [...]'⁵¹

In terms of diction, it is significant, that Mbeki, aware of the fact that albeit 15 April 2003 being the final act in Parliament's involvement with the TRC, comparable to a full stop of a momentous text, he seems to be aware of the fact that many would have rather put a question mark at the end of it. Hence, his speech used the trope of rogation, altogether ten times, in order to keep the attention of the audience, as well as further understanding by pre-empting also others from raising theirs. The first one appears at the end of first paragraph: 'Where to from here?'⁵² and is repeated further on⁵³ when

⁴³ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.5)

⁴⁴ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.3)

⁴⁵ *ibid.*

⁴⁶ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.10)

⁴⁷ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.14)

⁴⁸ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.15)

⁴⁹ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.18)

⁵⁰ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.9)

⁵¹ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.4)

⁵² Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.2)

⁵³ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.11)

narrowing his angle down from a global to a local, South African perspective. Approaching the end of the speech, Mbeki further uses rogation, cleverly wrapping question and answer in an *anaphora*:

We have to ask ourselves and honestly answer simple questions: Have we succeeded in creating a nonracial society? The answer to this question is no. Have we succeeded in building a nonsexist society? The answer to that question is no. Have we succeeded fully in addressing the needs of the most vulnerable in our society - the children, the youth, people with disability and the elderly? Once again the answer to this question is no.⁵⁴

The only exclamatory sentence in his speech appears at the climax of the epideictic section, paraphrasing Mandela's inauguration speech: '[...] never again should one South African oppress another! [Applause]⁵⁵

Mbeki's choice of words supports this intention to be understood and to further understanding. Only two terms may not be clear to audiences beyond the one present in the House: 'ethos'⁵⁶ and 'panoply'⁵⁷. In line with the topoi of nation-building and unity are terms such as 'national interest'⁵⁸; 'patriots', 'common determination' and 'as a people'⁵⁹. The topoi of justice is fed by legal vocabulary: 'mandate'⁶⁰ which he repeats also by substituting 'mandate' with 'TRC's objectives'⁶¹, 'illegitimate and illegal state', 'TRC's investigative capacity', 'hearings of the commission'⁶², 'TRC investigations', 'Amnesty process', 'constitutional rights', 'gross human rights violations', 'prosecution', 'National Directorate of Public Prosecutions'⁶³

Nation-building is not the only hyphenated term, Mbeki the nation-builder, uses "hyphe-nation" repeatedly throughout the speech: 'co-operation'⁶⁴, 'co-operate'⁶⁵, 'fault-lines'⁶⁶, 'self-interest' and 'once-off'⁶⁷. In the version circulated before delivery, 'non-sexist' and 'non-racist'⁶⁸ were hyphenated as well, the Hansard version links the two up but leaves 'nation-building' with its "dashing" bridge. That nation-building does indeed entail building and crossing new bridges, was highlighted by the then Minister of Justice, Dullah Omar introduced the Act in Parliament:

I have the privilege and responsibility to introduce today a Bill which provides a pathway, a stepping stone, towards the historic *bridge* of which the Constitution speaks whereby our society can leave behind the past of a deeply divided society characterised by strife, conflict, untold suffering and injustice, and commence the journey towards a

⁵⁴ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.27 & 28)

⁵⁵ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.5)

⁵⁶ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.18)

⁵⁷ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.26)

⁵⁸ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.19)

⁵⁹ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.5)

⁶⁰ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.3)

⁶¹ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.11)

⁶² Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.4)

⁶³ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.19)

⁶⁴ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.4)

⁶⁵ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.20)

⁶⁶ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.29)

⁶⁷ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.22)

⁶⁸ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.23)

future founded on the recognition of human rights, democracy and peaceful *co-existence*, and development opportunities for all South Africans irrespective of colour, race, class, belief or sex.⁶⁹ [my emphasis]

The building of the new nation is reflected in the structure of sentences and language: many composite clauses and expressions from similar registers such as building, putting together in order to create the new it is, however, also visible in the physical world. In Johannesburg, the Nelson Mandela bridge was built in the heart of the city, with the aim of bringing areas together that so far had little interaction with each other and revive the Newtown precinct. A smaller bridge was named after Tutu and East London now has a Biko Bridge.

In order to convince his audience of the on-going effort and progress made with regard to nation-building, he uses the progressive form: 'This work is continuing',⁷⁰ '...we are moving towards the accomplishment of the objectives we set ourselves'.⁷¹

Mbeki's speech abounds in tropes, a fact that is not surprising, given that

in a robust democracy, citizens address each other to coordinate and accommodate their differences; in a thin, predominantly liberal democracy, the people are deemed the irrational Other who must be contained, domestically and globally, in order to secure peace and prosperity, for diversity and difference are equated with error, chaos, loss of control, and thus insecurity and perpetual threat. Democracy too often is troped as a disease (Ivie 1998, 501).

For Conley, a trope is 'a strategic substitution of an unexpected expression for the normal one' (Conley 1990, 318). In *An African Athens*, Salazar speaks of 'troping the people' (Salazar op. cit., 65) as for example in the case of Mandela, 'not the function of the President, but the person holding the office' (ibid.) is named. Further on, referring to the 'building iconography' (Salazar op. cit., 66) used in A Constitutional Assembly Publication he states that 'a house of commonplaces is being built, a house of values shared in the construction of the Constitution itself; [...]' (Salazar op. cit., 69). Mbeki also tropes the people with a multitude of pronouns such as 'we' and 'us' or 'our'. To emphasis this effort, 'we' is for a number of number of times set at the beginning of paragraphs: 'we wish to acknowledge'⁷², 'we are indebted'⁷³, and at the helm of three consecutive paragraphs 'we imposed a heavy burden', 'we walked among their ranks', 'we said'⁷⁴. This is significant, as it follows a paragraph in which he refers to the murderers of Chris Hani and the time when South Africa was

still governed by a white minority regime, we who represented the oppressed majority said: "Let *those* who remain in positions of authority in our country carry out their responsibility to bring *those* who murdered him to book"⁷⁵ (my emphasis).

⁶⁹ TRC Report Vol. 1 chapter 4 op. cit., p.48.

⁷⁰ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.19)

⁷¹ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.28)

⁷² Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.2)

⁷³ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.5)

⁷⁴ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.6)

⁷⁵ ibid.

Another trope Salazar uncovered as part of the new South Africa is the trope of accountability:

In the early 1990s, when South Africa emerged from a culture of secrecy into democratic openness, "transparency" and "accountability" became the new tropes by which state and public officeholders began measuring their own newly acquired rhetoric (Salazar op. cit., 1).

During the joint sitting, Mbeki claims that in order to create 'a new ethos within our society'⁷⁶, the principle of accountability is crucial and assures his audience that government will leave 'its *door open*' [...] for those who feel urged 'to *enter into* arrangements that are standard in the normal execution of justice, and which are *accommodated* in our legislation' (my emphasis). In Germany, a "renewing" democracy, given a stronger economy and German efficiency, this trope is reflected in the use of glass as symbol for openness and accountability in mayoral buildings built in the 1990s, as well as the new Parliament in Berlin.

Among the many other tropes used throughout the speech, is a *praeparatio*, used at the very beginning to increase clarity (Ottmers op. cit., 186) and in support of the exordium and in line with the board-meeting type-conclusion: '[...] we have convened [...] to reflect [...] to examine [...] to find answers [...]'.⁷⁷

When tackling the highly emotive issue of amnesty, Mbeki makes use of *synecdoche*, avoiding him to mention individuals (such as generals, who were until recently still hoping and lobbying for a new amnesty) or besides these 'specific categories of people of regions of the country'⁷⁸.

In order to emphasise certain points, Mbeki's speech also contains a number of tautologies: 'we consider it *completely unacceptable* that matters that are central to the future of our country should be adjudicated in foreign courts which bear no responsibility for the well-being of our country [...]' ⁷⁹(my emphasis). A bit further on, he makes reference to 'fundamental social transformation' and 'common patriotism'⁸⁰, as well as 'new and common patriotism'⁸¹. He labels the 'product of the work of the TRC that *much more outstanding and impressive*'⁸² and uses a "boxed" invitation: 'Let us now turn to *some of the major specific details* [...]'⁸³ [my emphasis].

Although Mbeki has in the past delivered immensely power and evocative speeches, such as the famous 'I am an African' speech, containing strong imagery and metaphors to convey these to his audiences, the address given on 15 April only contains few metaphors. That day, Mbeki's 'passion for the possible',

⁷⁶ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.18)

⁷⁷ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.2)

⁷⁸ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.18)

⁷⁹ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.22)

⁸⁰ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.23)

⁸¹ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.28)

⁸² Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.4)

⁸³ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.14)

wrapped in a 'firmly constructed and well argued' speech (Mbeki 1998, xxii) dominated his poetic style with exceptions such as: 'Others among us suffered because we were imprisoned behind prison walls of fear...' ⁸⁴ and 'seed of hope' – of a future bright in its humanity and in its sense of caring ⁸⁵. An *oxymoron* Mbeki uses is a paraphrase of the 1999 election campaign ANC slogan (TOGETHER. FIGHTING FOR CHANGE.): 'However long the road we still have to travel, we will win' ⁸⁶.

By means of a euphemism, the speaker camouflaged in a remarkable opposition truth and lies, the known and the concealed, the present and past as he juxtaposes '[...] the truth about the *networks* that operated against the people' ⁸⁷. 'Networks' is borrowed from a different register, opposed to the new culture of accountability, the rule of law as it reminds of the Mafia underworld, conspiracy theories, the 'Matrix'. A few lines further down he referred to 'caches'. While arms caches have been known to be spread across various parts of the country, nowhere has there been as much rumour and talk about third forces and hidden weapons as in KwaZulu-Natal, the 'specific region'. In post-independence Zimbabwe, caches and 'dissidents' were predominantly in Matabeleland.

As various other speakers did after him as well, Mbeki often referred to the TRC as a process: 'TRC process' substituting it also simply with 'this process'. ⁸⁸

analysis

President Mbeki, fully aware of the high level of expectation he is facing, gives a clear outline of the purpose of the joint sitting convened for 15 April 2003: 'to reflect on the work of the Truth and Reconciliation Commission, to examine its Recommendations and to find answers, in practical terms, to the question – where to from here!' These aims translate into a conflation of *epideictic* discourse, as well as deliberative rhetoric. Reflection on the TRC's work, as will be seen in this speech – or rather its political dissection – will entail praising or blaming, honouring or dishonouring certain persons, institutions or values. The necessity 'to find answers, in practical terms', that is to formulate policies to be adopted, will produce deliberative argumentation.

From the onset of Mbeki's speech, it can be observed that the orator has an ambiguous attitude toward the TRC. Initially, he only voices criticism toward it but later, he fiercely attacks the commission. The first indication of this tension can be found when comparing the second and third paragraph. Although

⁸⁴ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.28)

⁸⁵ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.4)

⁸⁶ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.28)

⁸⁷ *ibid.*

⁸⁸ Hansard op. cit., (Tape: 94, 96, 96, Disk: 353, Take:A-C.18 & 19)

in the former the orator wishes 'to acknowledge the presence of Commissioners of the erstwhile TRC, who took time off their busy schedules to join us in commending the Report to our national Parliament', he pursues to say that 'I am confident that I speak on behalf of all Honourable Members when I say to these Commissioners, and through them, to Archbishop Desmond Tutu and the other Commissioners not present here today, that South Africa sincerely appreciates the work that they have done.' These two paragraphs have both sarcastic and accusatory undertones. Still, Mbeki contends that the work the TRC has accomplished 'which we are justified to celebrate today' deserves appreciation, as well as gratitude. One single verb (to celebrate), in its sober infinitive, which contains the immense differences between the first democratically-elected President of South Africa, Nelson Mandela, and his successor, Thabo Mbeki. At the handing over ceremony of the five-volume report in October 1998, Mandela and Tutu were indeed celebrating and seen dancing together, as South Africans frequently do on joyous and official occasions such as graduations, the opening of Parliament, political rallies etc. praise singing, ululating and dancing. Mbeki, the pragmatic, not at ease with crowds as his predecessor was, has to inform the audience that they have also convened to celebrate, indeed are 'justified to celebrate.'

He readily admits that besides embarking on a 'process novel in its conception', the TRC also saw itself facing a huge, challenging and not always rewarding task. At this point, digressing from the speech prepared⁸⁹, Mbeki directs his audience's attention to the fact that Dullah Omar, former minister for justice and instrumental to establishing the TRC and conducting public instead of closed or in camera hearings, was part of the audience. The massive task the TRC had to fulfil is often held against it and viewed as proof that it had to only fail. Saunders however, in assessing the position of historians toward the TRC, maintains that 'those who are now beginning to voice criticisms are not necessarily critical of the work of the TRC as a whole. They can be critical of the report while accepting that the TRC was an essential part of the transition to a new order and respect what the TRC achieved in its short life.'⁹⁰

What kind of criticism does Mbeki voice? Not really wanting to "slash" the Commission's work, but nevertheless intending to point out flaws and weaknesses, he counterbalances achievements with failures. However, by juxtaposing its mandate to ideals the new South African political and social order seeks to achieve in the long run, he creates a space into which the main political players, in this case the ANC, predominantly feature:

Our assessment of the TRC's success cannot therefore be based on whether it has brought contrition and forgiveness, or whether at the end of its work, it handed us a united and reconciled society. For this was not its mandate. What the TRC set out to do, and has undoubtedly achieved, is to offer us the signposts in the Long March to these ideals.

⁸⁹ This became apparent when comparing the Hansard Unrevised version and the document forwarded to me by Martin Tsheoli; please consult footnote 32.

⁹⁰ Saunders op. cit., p.20.

What it was required to do and has accomplished, was to flag the dangers that can beset a state not premised on popular legitimacy and the confidence of its citizens, and the ills that could befall any society founded on prejudice and a belief in a "master race."⁹¹

Assessing the TRC's mandate must inevitably involve looking at the work and aims of the Human Rights, the Amnesty and the Reparations and Rehabilitation Committees and on this day, the recommendations contained in volumes six and seven. Instead, Mbeki reduced the task of the Commission to that of a 'signpost'. A brief outline of the mission the Reparation and Rehabilitation (R&R) Committee had been given, reveals that it is only one out of altogether three tasks which was dedicated to this end:

The enabling act empowered the R&R Committee to provide victim support to ensure that the Truth and Reconciliation Commission process restores victims' dignity; and to formulate policy proposals and recommendations on rehabilitation and healing of survivors, their families and communities at large. *The envisaged overall function of all recommendations is to ensure non repetition, healing and healthy co-existence.*⁹² [my emphasis]

If the TRC merely provided 'signposts in the Long March', who is the traffic cop overseeing South Africa's journey? Mandela, has accomplished his *Long Walk to Freedom*. What is the audience to make of the reference to Chairman Mao and what is the political implication thereof? Since Mbeki has always been known to favour market economy and was the main force behind shifting South Africa's economy into GEAR such reference is surprising. Nevertheless it appears that, like all ANC cadres, and in particular exiles, he read Communist literature, even joined the South African Communist Party (SACP) for some time, spent two years in Russia and is as well informed as most of his peers about one of the most significant historical events of the 20th century Socialist history.⁹³

In his introductory outline on the work of the TRC, Mbeki dedicates more space to the context in which it operated and to its shortcomings ('...all these weaknesses were those of society and not the TRC as such'), than to the accomplishments. According to his speech the TRC offered South Africa merely a 'seed of hope' for the future.

Following this point his speech branches off to open the stage for the main protagonists of South Africa's recent history: Oliver Tambo, who was Mbeki's mentor and for whom he worked, Chris Hani, Robert Mangaliso Sobukwe and Steve Bantu Biko. Not only is there no doubt to be cast on the role these men have played in bringing about the liberation of their people, but they were 'patriots to whom freedom meant life itself'. What these men have in common is that although all four are no more we are left with their legacy. Two of them have lost their lives by violent means. Mongane Wally Serote, whom

⁹¹ Hansard, op. cit. (Tape: 94, 95, 96, Disk: 353, Take: A-C.3).

⁹² The Committees of the TRC, Reparation and Rehabilitation (R&R) Committee: <http://www.doi.gov.za/trc/trccom.htm>

Mbeki later in the speech quotes, writes in his novel *'To Every Birth its Blood'* that 'freedom must be fetched, must be won, must be fought for'.⁹⁴ Mbeki's use of Serote's novel may also be used as a response, to Tutu's foreword to the TRC report:

All South Africans know that our recent history is littered with some horrendous occurrences - the Sharpeville and Langa killings, the Soweto uprising, the Church Street bombing, Magoo's Bar, the Amanzimtoti Wimpy Bar bombing, the St James' Church killings, Boipatong and Sebokeng. We also knew about the deaths in detention of people such as Steve Biko, Neil Aggett, and others; necklacings, and the so-called 'black on black' violence on the East Rand and in KwaZulu Natal which arose from the rivalries between IFP and first the UDF and later the ANC. Our country is soaked in the blood of her children of all races and of all political persuasions (TRC Report op. cit., Vol. 1 Foreword, 1).

In the following paragraph Mbeki adopts a different personal pronoun (we) and outlines the relationship between 'we', the immediate audience present that day, as well as the national audience, every South African and the liberators, of the like of Tambo, Hani, Sobukwe and Biko:

We are indebted to all of them; and we shall work to ensure that their memory lives on in the minds of generations to come, inspired by our common determination that never again should one South African oppress another. [Applause]⁹⁵

In this paragraph Mbeki provides his audiences with a blueprint as to how to deal with the deeds of these liberators and how to uphold their legacy. The debt that 'we' have toward 'all of them' is one that will be serviced by ensuring that their memories will be upheld, their monumental place in history secured. It is not surprising that by 1997, a Steve Biko statue had been unveiled by Mandela in the Eastern Cape...

In the next paragraphs, the President pursues to recapture South Africa's recent past, the first time in its history that is marked by a concerted effort to achieve unity:

At a critical moment in our history, as a people, we came to the conclusion that we must, together, end the killing. We took a deliberate decision that a violent conflict was neither in the interest of our country nor would it solve our problems.⁹⁶

In the next ten short paragraphs⁹⁷, numerous pronouns ('we', 'our'), as well the terms 'together' and 'our people', serve to create unity, in mind and in action. A number of verbs refer to the 'negotiated settlement', to the political compromise reached at the Conference for a Democratic South Africa (CODESA): 'we came to the conclusion', 'we decided', 'we agreed' (twice), 'negotiating the future', and 'working to build the new South Africa we had all negotiated'. By means of these terms, Mbeki draws a

⁹³ This needs further investigation.

⁹⁴ N.C.T. Meihuizen, Mongane Wally Serote, in: Paul A. Scanlon (ed.), *Dictionary of Literary Biography*. Vol. 225: South African Writers, A Brucoli Layman Book, Farmington Hills, 2000, p.429.

⁹⁵ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.5)

⁹⁶ *ibid.*

⁹⁷ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.5-8)

very harmonious picture of a smooth consensus that has been reached by well-disposed negotiating partners. He furthermore claims that the new South Africa has its origins in an all-inclusive negotiation process. This account, however, not only simplifies but also distorts a process which in actual fact was arduous, frequently broke down and was threatened by spiralling levels of violence (Boipatong massacre, Natal killings, necklacing) and also rejected by renegade parties, notably right-wing movements. Feeling out-manoeuvred, the IFP decided to take part in the 1994 election at such a late stage that millions of ballot papers needed to be 'up-dated'. Moreover, although Mbeki hails the leaders of the African liberation movements, he makes reference to the entire nation by using 'South Africa' as a common denominator. While paragraph fifteen, in which he recalls that 'We agreed that we would not have any war crimes tribunals or take to the road of revenge and retribution' is free of any ambiguity in regard to the all-inclusiveness of the 'we', the following paragraph reveals the inclusion of Mbeki's 'Two-Nations'⁹⁸:

When Chris Hani, a great hero of our people was murdered, even as our country was still governed by a white minority regime, we who represented the oppressed majority, said let those who remained in positions of authority in our country carry out their responsibility to bring those who had murdered him to book.⁹⁹

All the subsequent references address the 'two nations' in the same manner – 'our people', 'the majority', stands for the black South African people:

We called on our people neither to take the law into their hands nor to mete out blind vengeance against those they knew as the beneficiaries of apartheid oppression.

We imposed a heavy burden particularly on the millions who had been the victims of this oppression to let bygones be bygones.¹⁰⁰

The audience physically present, which Mbeki addresses is composite, consisting of all the political parties, of representatives of various cultural backgrounds, religious denominations, South Africans and foreign citizen, politicians, activists and private individuals. Present that day, is of course also the media, which will transpose Mbeki's message to 'our people', the political majority – that is the ANC:

We reminded the masses of our people of the values their movement for national liberation had upheld throughout a turbulent century, of everything they had done to defend both this movement and its values, of their obligation never to betray this noble heritage. Our people heeded all these calls.¹⁰¹

Mbeki's reference to 'the movement', the ANC, suggests that this is a rallying cry, congregating his followers to renew their allegiance and renew their pledge for support. In order to achieve this, and

⁹⁸ South Africa: Two Nations, Statement at the Opening of the Debate on Reconciliation and Nation-Building, NA, Cape Town, 29 May 1998. Mbeki, op. cit. pp. 68-76.

⁹⁹ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.5)

¹⁰⁰ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.6)

¹⁰¹ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.7)

establish the ground for his next line of argumentation, starting in paragraph twenty-one, he uses the *topos* of *ubuntu*, asseverating

always to value all human beings, and never to turn their backs on the deeply-entrenched sentiment informed by the spirit of *ubuntu*, to forgive, understanding that the harm done yesterday cannot be undone today by a resolve to harm another.¹⁰²

This is an extension of the ideal, but it omits the basic and significant aspect of the 'conception of community' (as expressed in such proverbs as *umuntu ngumuntu ngabantu* – a person depends on persons to be a person) and that of the fundamental energy of the universe (*seriti*) as being neither purely material nor purely spiritual, [...]¹⁰³

The way he uses this crucial concept, differs widely from the way the TRC drew inspiration from *ubuntu*, as well its linkage to principles of restorative justice: 'A principal task of the Commission was 'restoring the human and civil dignity of victims.'¹⁰⁴ Furthermore, the report lines out that there is

"a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for *ubuntu* but not for victimisation". It was a commitment that called for a respect for human life and dignity and for a revival of *ubuntu*, a commitment that included the strengthening of the restorative dimensions of justice.¹⁰⁵

Summarised, this process

seeks to redefine crime, [...] is based on reparation, [...] encourages victims, offender and the community to be directly involved in resolving conflict, with the state and legal professionals as facilitators; supports a criminal justice system that aims at offender accountability, full participation of both the victims and offenders and making good or putting right what is wrong.¹⁰⁶

The TRC report also cites Constitutional Court Justice Makgoro on the concept of *ubuntu*: 'Its spirit emphasises respect for human dignity, marking a shift from confrontation to conciliation.'¹⁰⁷ Ubuntu is not just 'to let bygones be bygones' and merely about forgiving. What is significant then, about the fact that Mbeki reduces the concept to this aspect and instead brings in 'the movement and its values'? It allows him to adjudicate the historical role the TRC has played, as well as restore the image and historical mission of the ANC, which did not get "absolved" by the TRC. His argument is that the TRC could only operate in a specific societal context. The groundwork for this context, the necessary conditions were brought about by the 'movement':

¹⁰² *ibid.*

¹⁰³ Augustine Shutte, *Philosophy for Africa*. University of Cape Town Press, Cape Town, 1993, p. 8.

¹⁰⁴ TRC Report Vol. 1, chapter five, p. 125.

¹⁰⁵ TRC Report *op. cit.*, p. 126.

¹⁰⁶ *ibid.*

By reason of the generosity and the big hearts of the masses of our people, all of us have been able to sleep in peace, [...] the Truth and Reconciliation Commission was able to do its work enjoying the co-operation of those who for ages had upheld the vision of a united humanity, in which each would be one's brother and sister. These are an heroic people whose greatest reward is the liberation of their country.¹⁰⁸

The protagonists of this achieved liberation, can in the eyes of the orator only be described as magnanimous heroes but cannot be labelled victims. Mbeki goes as far as quoting from the TRC report, which alludes to the fact that the term 'victim' is highly problematic. However, instead of outlining the TRC's nuanced position, Mbeki accuses the Commission of abasing the struggle heroes, by describing them as passive and helpless victims. The Commission's report though, very clearly gives insight into the dilemma it had to resolve, concerning the choice between the terms suggested: 'victim' or 'survivor'. It ended up reasoning in the following way:

However, when dealing with gross human rights violations committed by perpetrators, the person against whom that violation is committed can only be described as a victim, regardless of whether he or she emerged a survivor. In this sense, the state of mind and survival of the person is irrelevant; it is the intention and action of the perpetrator that creates the conditions of being a victim.¹⁰⁹

The liberation movements, although fighting for a just cause did also commit human rights violations, some in camps such as Quatro in Angola. Violations such as these individualises persons' experiences and pains; in each case it laid bare the causes and would point at the perpetrator(s). It is for these broken individuals that the TRC sought recognition and to establish a space in which, as Henry's experience stated, a healing process could start. One of the main points of contention for the ANC in regard to the TRC's work, was the fact that it rejected the ANC's idea of submitting a collective application for amnesty, instead of being scrutinised in the same way as the perpetrators who committed a crime against humanity on an individual case to case basis. Those who were at the forefront of the anti-apartheid struggle, who fought for noble ideals and willingly made huge sacrifices, at times the ultimate sacrifice, as Mbeki states, are reluctant to be qualified as 'victims'. In order to underscore this, Mbeki cites the example of the Rivonia trialists, none of whom made statements to the Human Rights Violation Committee. Needless to say, the Rivonia trialists, in the hierarchies of struggle credentials, represent the seniority level, and are regarded as role models and examples to follow. Many of them have made their way from the 'torture chambers' to 'this chamber' (NA) without – as Mbeki seems to hint – including a stop-over at some "treasure chamber". The second group he refers to ('others'), have lost their lives in the struggle and are represented by their friends and family, who also preserve the memory of those 'whom they pride as liberators'. When comparing the two groups Mbeki refers to, it becomes evident that the first group has something the second group, the 'others', lack – political posts, and coming with that material well being. Instead of acknowledging the immensely bleak

¹⁰⁷ TRC Report op. cit., p. 127

¹⁰⁸ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.7)

¹⁰⁹ TRC Report, op. cit. Vol.1 chapter one, p.5.

and desperate living conditions the TRC encountered and tried to address by granting urgent interim reparations to victims of human rights violations, Mbeki feeds his audience with an array of values:

Surely, all of us must feel a sense of humility in the face of such selfless heroism and attachment to principle and morality, the assertion of the nobility of the human spirit that would be demeaned, denied and degraded by any suggestion that these heroes and heroines are but mere 'victims', who must receive a cash reward for being simply and deeply human.¹¹⁰

Was the struggle aiming at South Africa's liberation only conducted in the name of freedom and not also for a better life for all living in this country? Mbeki dismisses and rules this out. The following dismissive anaphora (demeaned, denied and degraded) underlines his vehement rejection of 'a cash reward' granted to 'heroes and heroines'. Cash comes from a vastly opposite linguistic register, possibly even slang, than 'heroes and heroines'. A juxtaposition of the base, slightly crass and the noble, *populi* and *aristos*. To distort the notion of reparations to such an extent as to substitute the term with 'cash reward' is not only of ill faith it serves a specific purpose. In order to avoid being accused thereof, Mbeki shifts his argument and addresses the present audience directly:

I know there are some in this House who do not understand the meaning of what I have just said. They think I have said what I have said to avoid the payment of reparations to those whom the TRC has identified as 'victims', within the meaning of the law.¹¹¹

Mbeki not only intercepts criticism he expects to encounter in light of what he has stated, he queries the ability of his critics to 'understand the meaning of what I have just said'. However, the question that needs to be raised is whether differences in viewpoints can be equated with a non-understanding of the other (party)'s dissent and alternative viewpoint(s). This leads to a further question: Can this issue only be understood and adequately addressed by the current government? By the acknowledged and approved "struggle graduates"? Mbeki seems to have adopted this viewpoint. As if to confirm the lack of understanding, but also question the TRC's professionalism and judgement, once again he cites an example that is more intended to highlight the Commission's shortcomings than its strengths. He refers to a 'gratuitous comment' made by the TRC regarding the necessity of the acquisition of submarines by the South African government in view of the outstanding issue of reparations for victims of gross human rights violations. He even goes as far as providing the reference to this comment in the report while all other references to the report are left unaccounted for. Mbeki does not defend budget priorities set – he simply rejects the claim that government has ever 'presented such an argument'. It is self-evident that if a government is accused of having set its priorities wrongly, in terms of its expenditure, it will not readily adopt its critics' argument. It is however, in a democratic context, expected to produce – or at least attempt to produce – persuasive arguments in support of its policy

¹¹⁰ Hansard op. cit. (Tape: 94, 95, 96, Disk: 353, Take: A-C.9)

¹¹¹ *ibid.*

and have the willingness to engage in a debate. Mbeki however, does not seek to discuss this issue, instead he silences his critics – in this case the TRC – categorically dismissing Calogero's 'duty of dialogue'.¹¹² Commenting on the issue of reparations, Adam provides a figure suggesting that reparations would 'amount to 0.25 % of the national budget.' He adds, however, that 'even this token gesture is likely to be substantially scaled down by a government committed to reducing the budget deficit.'¹¹³

Due to the fact that the TRC itself has admitted to having too hastily compiled the five-volume report, and that this led to mistakes, it would seem unnecessary for the orator to remind his audience of the – known – flaws of the report. Indeed, the report notes that

it would have been odd in the extreme if something as radical as this Commission had met with universal approval and acceptance. It would have been even more odd had we been infallible and made no mistakes as we undertook the delicate task of seeking to help heal the wounds of a sorely divided people. Some of the criticism levelled against the Commission has been legitimate.¹¹⁴

Since Mbeki chooses to critique, he reveals to have a greater concern to dismiss the TRC's work, than to praise it. The choice of a high-profile case in which the TRC made a mistake, serves this purpose best: '[...] Frank Chikane, [...] is falsely reported as having made a presentation to the Amnesty Committee, which he never did [...]. We do not understand how this grave and insulting falsification found its way into the Report of the TRC. We are pleased to report that Archbishop Tutu has written to Rev Chikane to apologise for this inexplicable account.' Not only is Frank Chikane a well-known reverend, who became like Tutu and Allan Boesak one of the most outspoken anti-apartheid clerics, he is also a close ally of Mbeki. The latter seems to have taken the issue regarding Chikane who meanwhile serves as Director General in the Presidency personally.

Although Mbeki has scaled down his style, and uses less overtly poetic language in his speeches, the President is known to appreciate poetry and has repeatedly inserted quotes from Keats and Yates in his speeches. In this speech however, he merely uses the reference to a poet, a South African poet this time, Mongane Wally Serote, to depict the greater context in which South Africa's liberation is set, and to point at possible dangers looming. Mbeki's reference to Serote's novel, *To Every Birth its Blood*, published in 1981, portrays the struggle in the political realm but not without acknowledging that the 'familial and personal struggles [...] are part and parcel of the larger struggle for political liberation.'¹¹⁵ Paying tribute to the bloody and violent origins of South Africa's liberation serves the orator to issue a

¹¹² Calogero, *Why Do We Ask Why?*, Actes du XI e Congrès international de philosophie (North-Holland) vol. XIV, p. 260 in: Perelman & Olbrechts-Tyteca, op. cit. p. 56.

¹¹³ Heribert Adam, *The Presence of the Past: South Africa's Truth Commission as a Model?*, in: A. Tayob & W. Weisse, *Religion and Politics in South Africa*. Waxmann, Münster, 1999, p. 149.

¹¹⁴ TRC Report, Vol. 1 chapter one, op. cit. p.8.

warning to his audience, to appreciate and value the achieved adequately and to bear in mind that 'in this era of increased geopolitical tension, we dare celebrate as South Africans that we found home-grown solutions [...]'. Mbeki in paragraph thirty-one and thirty-two may allude to Zimbabwe, where no 'home-grown solutions' have been found and the country is de-developing politically, economically as well as socially; in the latter he paragraph reminds his audience of a world order that is unstable but in which South Africa has found a place again and can make a meaningful contribution in order to achieve a 'more stable, more humane and safer world'.

Mbeki thereafter shifts toward the more specific policy matters he is expected to outline that day. Indeed he starts paragraph thirty-four by inviting to examine the legal basis of the work conducted by the TRC:

If we should find correct answers to the question, where to from here, we will need to remind ourselves of the objectives of the TRC from its very inception, so aptly captured in the preamble to the Promotion of National Unity and Reconciliation Act.¹¹⁶

Mbeki goes on to corroborate the need for reconciliation advocated by the act, as well as the urgent need for the reconstruction of South Africa's society and in addition to this, also poses pertinent questions regarding the success that has been achieved in realising these goals: 'Both singly and collectively, we should answer the question how far we have progressed in the last nine years towards the achievement of the goals of national unity, national reconciliation and national reconstruction. Both singly and collectively, we have to answer the question, what have we contributed to the realisation of these goals'. Again, although giving credit to the role the TRC has played in pursuing these aims, he underlines that the commission was 'but an important contributor' which also drew attention to the 'motives and circumstances in which gross violations of human rights occurred'. Significantly, at the point that he is asking his audience to question their personal involvement in reconciling and reconstructing the country and his speech abounds in terms referring to the nation and collective, that he imports the speech 'South Africa: Two Nations', held in 1998. He will toward the end of his address (paragraphs 94 to 98) more substantially incorporate this speech, delivered at a time when the TRC's work was coming closer to the end. Now that the TRC has concluded its work and provided government with a catalogue of recommendations, the law stipulates that the executive act on these policy suggestions. The speech accordingly is shifting from *epideictic* to deliberative, replacing praise and blame with the discussion and outline of concrete steps government has decided on. He takes a systematic approach, enumerating the 'major specific details that the TRC enjoins us to address' and introduces as the first matter to be addressed, reparations.

¹¹⁵ Meihuizen, op. cit. p. 430.

¹¹⁶ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.11)

Following a number of approaches aimed at dealing with symbolic reparations such as the establishment of monuments or changing geographic and place names, restorative justice and social programmes, he announces the payment of 'final reparations'. Providing his audience with the figures the TRC report stipulates, that is 'Twenty-two thousand individuals or surviving families' in need of relief, he does however fall short of informing the assembly of the TRC's recommendation in regard to financial figures: 'Each victim of a gross human rights violation should receive a financial grant of between R 17 000 and R 23 000 per year, according to various criteria, paid over a period of six years.'¹¹⁷ All in all, depending on the amount allocated, each party should, according to the Reparation and Rehabilitation Committee's findings, have received between R 102 000 and R 138 000 over the designated period of six years. Compared to these figures, Mbeki's amount does indeed sound like a petty 'cash reward':

With regard to final reparations, government will provide a once-off grant of R 30 000 to those individuals or survivors designated by the TRC. This is over and above other material commitments that we have already mentioned.¹¹⁸

When comparing his response to the TRC's recommendation, again his refusal to use the term victim is apparent; he chooses 'individual' or 'survivors'. Emphasis on 'final' reparation and 'once-off grant', as well as 'process these payments as a matter of urgency, during the current financial year' suggest that the government, after having kept silent over the matter of reparations for so long, now is eager to seal the TRC chapter. Although most likely all the members of the audience that day awaited this announcement most, there was no response at this point – neither approving applause nor dismissive outbursts. Only when Mbeki pursued to state 'we do so with some apprehension, for as the TRC itself has underlined, no one can attach monetary value to life and suffering', did his audience applaud him. In line with Serote's words concerning the value of freedom, he reiterates the fact that South Africans did not pursue the goal of liberation 'for monetary gain'.

Besides giving an answer and figures regarding the issue of reparations, Mbeki that day was also expected to address the still open question of amnesty. What was going to be done about 'perpetrators who had not used the Truth and Reconciliation Commission's (TRC) amnesty mechanisms'?¹¹⁹ This challenge arose due to the fact that 'amnesty creates an unnatural cohabitation of reconciliation and legal justice which is impossible to defend on religious grounds'.¹²⁰ Mbeki refers to this by stating that 'a critical trade-off contained in the TRC process was between "normal" judicial processes on the one

¹¹⁷ IJR, Time to Act booklet, op. cit. p. 8.

¹¹⁸ Hansard op. cit., (Tape: 94, 95, 96, Disk: 353, Take: A-C.16)

¹¹⁹ Marianne Merten, 'We have never said there will be amnesty', in: *Mail & Guardian*, February 21 to 27 2003, p. 4.

¹²⁰ Russel Botman, Justice that Restores, in: *track two*, December 1997, p. 17.

hand, and establishment of the truth, reparations and amnesty on the other'. In the context of transitional justice, a number of options can be pursued in dealing with the legacy of the previous regime, ranging from lustration, to blanket amnesty or trials. Each of these has advantages as well as serious drawbacks. In the case of South Africa, trials would not only have been lengthy and costly, but given the fragile political and social balance, could have disrupted the progress achieved with the negotiated settlement. Amnesty in fact became the key to pursue restorative justice and avoid political turmoil. The conditions set for those applying for amnesty were that full disclosure was made, evidence provided that the act was politically motivated and that it had occurred in the time frame established by the TRC.

Unlike the issue of reparations, where Mbeki introduced a number of approaches, before getting to the most crucial point, that is the actual amount that would be paid out, in regard of the amnesty issue, he tackles the most pertinent issue head-on: 'Let us start off by reiterating that there shall be no general amnesty.' Regarding the issue of amnesty, Mbeki agrees with the TRC by saying that 'any such approach, [general amnesty] whether applied to specific categories of people or regions of the country, would fly in the face of the TRC process and subtract from the principle of accountability which is vital only in dealing with the past, but also in the creation of a new ethos within our society.' The 'specific categories of people or regions' he refers to would have been understood by all present in the assembly that day, but also clearly by most South Africans. He makes reference to the fact that some parties, notably the ANC with its military wing *Umkhonto weSizwe* (MK) and the PAC with its armed extension Azanian People's Liberation Army (APLA) attempted to submit collective amnesty applications. Adam comments that 'from the ANC to the NP or military command they all took 'collective responsibility' for the misdeeds of their underlings which they claimed they 'never condoned' or were even aware of, although they should have known about it or in most cases, could have prevented it, had they shown the political will.¹²¹ Smuts, corroborates '[...] the old generals, you know – it was always, those same parties were the ones that continued to lobby government for further amnesty [...].'¹²² KwaZulu-Natal, has been marred by pre-election violence and ongoing tension between the ANC and IFP, which have neither been resolved nor fully accounted for. Besides the fact that much evidence was destroyed by the old government, many individuals, assuming the TRC would not find them out, did either not co-operate at all or only with regards to facts established by the TRC. Cases such as the widely-documented one involving former *Vlakplaas*¹²³ commander de Kock, who did incriminate his former superiors, were few.

¹²¹ Adam, op. cit. pp. 149 & 150.

¹²² Interview 1: Dene Smuts MP DA, 15 August 2003.

¹²³ Name of the farm from which the notorious former commander de Kock co-ordinate his operations.

In order to create 'a new ethos within our society', as Mbeki professes, the principle of accountability is crucial. Although Mbeki does not mention it, the TRC was faced with insufficient participation and responses from the white community. In her book *Country of My Skull*, Antjie Krog described a hearing in Limpopo Province attended exclusively by black people, while outside the hall whites were enjoying the cricket. How then, can the issue of justice and truth be addressed, especially with so much apparent disaffection from the white population who mostly benefited from apartheid? The approach 'government' has taken is to pursue such cases, as is 'normal practice', nevertheless leaving 'its door open' for those willing to co-operate and tell the truth. This not only serves to prevent cases of arbitrary law but reinforce the rule of law and reject trade-offs, such as the IFP's proposal to the ANC 'that amnesty should be granted in return for information on arms caches and the like'.¹²⁴

On the issue, regarding apartheid claims judged in foreign courts, the South African government has adopted a clear stance: 'we consider it completely unacceptable that matters that are central to the future of our country should be adjudicated in foreign courts which bear no responsibility for the well-being of our country [...]'. The first legal battle for reparations began in New York in 2002. In the latest case, 'claimants seek to hold responsible companies like IBM that provided computers to create the passbook system, car manufacturers that provided the armoured vehicles to patrol the townships and banks that 'enabled South Africa to expand its police and security apparatus'.¹²⁵

An issue that was widely discussed prior to Mbeki's address, was the so-called wealth tax that had been suggested. Professor Sampie Terreblanche was one of the supporters of such a fiscal policy. In the submission he made to the TRC's business hearings, he stated that 'white supremacy and racial capitalism, [...] had over the past hundred years enriched the Whites undeservedly and impoverished those of colour, equally undeservedly'.¹²⁶ According to Terreblanche, the solution 'was that a levy of 0.5 percent should be used from taxpayers having an asset value of more than R2 million for the upliftment of the poorest forty percent of the population'.¹²⁷ Comparable to Germany's *Solidaritätszuschlag*¹²⁸, this form of taxation would however also have been applied to victims. There was little support amongst South Africans, the business community and also the Minister of Justice for the wealth tax: 'Maduna dismissed a universal wealth tax similar to the one imposed on West Germans to help reconstruct the former East Germany. He said apartheid victims would refuse to pay the wealth tax 'starting with your Cyril Ramaphosa. And I won't pay it either myself'.¹²⁹ Mbeki has failed to address some prominent issues that arose in the years since he was elected President, notably the political and economic situation

¹²⁴ Merten, op. cit. p. 4.

¹²⁵ Vicki Robinson, Apartheid claims mount, in: *Mail & Guardian* February 21 to 27 2003, p. 4.

¹²⁶ Meiring, op. cit. p. 257.

¹²⁷ *ibid.*

¹²⁸ One percent of Germans' salary is deducted for the *Wiederaufbau* (Reconstruction) of the five Eastern *Länder* (provinces).

in Zimbabwe and managing the HIV/Aids pandemic. Economics however, is his field of expertise and *credo*. He knows that any political decisions made will only be successful if they are in line with what should be economic prerogative. The alliance he has entered with business, is therefore not be strained by the introduction of the recommended wealth tax. His choice of words is insightful: 'we do not believe that it would be *correct* for us to impose the once-off wealth tax on corporations proposed by the TRC'. [my emphasis] Interestingly, paragraphs seventy-five to seventy-seven, which respectively announce government's rejection of litigation, international lawsuits for apartheid reparations and the rejection of the proposed wealth tax, were the most welcome and applauded sections of his speech. Most newspapers, in particular financial papers, followed suit and lauded Mbeki.

One of the crucial appeals Mbeki makes toward the end of his speech concerns the lack of solidarity in the country and it was advisable to 'let bygones be bygones', he laments the fact that there is was 'blanket amnesty' covering all South African, a national duty to get involved, to 'work together' to take up the challenge of rebuilding the country. When even those that had fought the struggle willingly contribute to the reparation fund (President's Fund), it can be expected of the formerly privileged to do so as well. There were only few cases of gestures made towards reconstructing and mending the past. One of the few is that of de Kock who donated the royalties of his book – 'The royalties of this book have been donated by Eugene de Kock to the victims of apartheid and their families [...]. De Kock said doing so would "be a small gesture towards reconciliation" [...]'.¹³⁰

Before concluding his speech, Mbeki recaptures his main points in a very concise and board-meeting type of manner reminding the audience of the main points. Following this "balance sheet", assesses South Africans' achievements and the tasks awaiting to be completed. In the same manner in which the orator had requested his audience to be introspective, to cast an honest look at themselves, he reiterates the facts, like in a court room plea, that South Africa is not yet a non-racial society, neither is it a non-sexist society. It is far from having succeeded at eradicating poverty and providing the weakest members in society with adequate care. His verdict is that without having successfully dealt with all this, 'it is impossible for us to claim that we have met our goals of national reconciliation and reconstruction and development'. The projection he makes take into account the advances that have been made up to now. At the same time, in no uncertain terms does he state that there is still so much work to be done, a long journey ahead of South Africans: 'however long the road we still have to travel, we will win'. His choice of words seems to suggest that a number of battles might have to be fought along the way...

¹²⁹ Marianne Merten & Jaspreet Kindra, TRC prosecutions lie ahead, in: *Mail & Guardian*, April 17 to 24 2003, p. 7.

¹³⁰ Eugene de Kock as told to Jeremy Gordin, *A long night's damage Working for the Apartheid State*, Contra Press, Saxonwold: 1998.

One of the most remarkable things the orator does in one of the final paragraphs is something Tutu has done during some hearings, namely to switch sides, to become 'the other'. After Mbeki contends that all South Africans, regardless of skin pigmentation were 'victims of the apartheid system' he does something one could qualify as "linguistic *ubuntu*":

Some among us suffered because of oppression, exploitation, repression and exclusion. Others among us suffered because we were imprisoned behind prison walls of fear, paralysed by inhuman beliefs in *our* racial superiority, and called upon to despise and abuse other human beings. [My emphasis]

To be true to ourselves as human beings demands that we act together to overcome the legacy of this common and terrible past. It demands that we do indeed enter into a people's contract for a better tomorrow.¹³¹

Mbeki ends on a strong note, trying to inspire and motivate his audience to embrace a 'common patriotism' and build a common and better future, an effort neither the TRC could, nor government alone can achieve. South Africa's bloody history, which led those that 'sit together in this Chamber' to this day, have to work towards a country that 'truly belongs to all who live in it'. He finally commends the report compiled by the TRC to the 'National Houses and the nation' and closes off by expressing gratitude towards an audience that applauded him and rose up.

conclusion

The speech Thabo Mbeki delivered in the National Assembly on 15 April 2003 only toward the end manages to inspire the audience and adopts an almost "reconciliatory rhetoric". Although he initially repeatedly slants the TRC's achievements and glorifies the struggle heroes and their movement, he remains pragmatic about South Africa's current state and its needs. His reference of the 'Two Nations' in this country, is accurate but does not vilify the white, formerly privileged minority. There is no expression of racial hatred, no Mugabe-like 'othering discourses' but a statement of the fact that not even a decade after the first democratic elections were held in this country, it is still far from being 'non-racial' or 'non-sexist'. It still does not provide for all and there are still many that balk at revealing the truth about their apartheid past, reject the nation-building project.

Mbeki does provide his audience with clear answers as to the question he gave at the opening of his speech: 'where to from here'. What could be viewed as problematic is the fact that a debate had been announced to take place in the National Assembly on that day. Referring to Minister of Justice Penuell Maduna, Merten reports that 'the minister said the presentation of the TRC's final report to President

¹³¹ Hansard op. cit. (Tape: 94, 95, 96, Disk: 353, Take: A-C.28-29).

Thabo Mbeki would be followed by a Parliamentary debate on the issue of a general amnesty.¹³² Tutu, in the foreword of a booklet on 'The Recommendations of the Truth & Reconciliation Commission' refers to the lack of response from the government concerning reparations. He finishes off by saying 'my hope is that this summary of the TRC recommendations will provoke debate around issues of reconciliation and reconstruction. Never did we in the TRC regard these recommendations as the final word on anything. We did expect a response. So, let the debate begin.'¹³³ It is crucial then to juxtapose expectation of debate, stifled by the provisions of the joint sitting, and the occasion of Mbeki delivering his speech. Mbeki commends the TRC's report to the National Houses, but he does neither conclude nor open a debate. The assumption can be made that there was debate surrounding the payment of reparations. It did however, precede his speech. Ensuing debate, although the Hansard Unrevised copy of proceedings that day states in between Mbeki, who was to make a statement, and the second speaker, Premier of Gauteng, Sam Shilowa 'Debate on Final Report of Truth and Reconciliation Commission'¹³⁴ was not, in fact could not be expected, given the joint rules and following the President's announcements of decided matters and policies. In as much as Mbeki should be lauded for adopting sound economic and conceiving of a South Africa that is home to all that reside in it, the absence of open, public debate is highly problematic. It reduces his appearance to a rhetorical exercise, a mere ritual.

¹³² Merten, op. cit. p. 4.

¹³³ IJR booklet, op. cit. p. 2.

¹³⁴ Hansard op. cit., (Take: 97, Disk: 356, Tape: D.1)

JOINT SITTING-|-GESAMENTLIKE SITTING

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15 April, 2003

TAPE: 110

DISK: 368

TAKE: P.1

Mr P J NEFOLOVHODWE

<p>UNREVISED HANSARD</p> <p>Please return corrected copy to Room E222 (NA) or Room S42 (NCOP) no later than</p> <p>30 MAY 2003</p> <p>If you wish to have your corrections included in the Official Report of Debates (Hansard). (Do NOT use red ink for corrections.)</p>

2.3. HONOURABLE MABEL MENTOR'S SPEECH

The DEPUTY CHAIRPERSON OF THE NCOP (Mr M J Mahlangu): Order! Hon members the following member that I am going to call is going to make a maiden speech. [Applause.]

- 1 Ms M P MENTOR: Deputy Chairperson of the NCOP, ^{Comrade} Cde President, ^{Comrade} Cde Deputy President, hon Premiers, hon members, distinguished guest and comrades, I do not know what a maiden speech is, but I will ask at the end of my debate. [Laughter.]
- 2 ^{Comrade} Cde Patrick Moseli Mmoloea who was the last president of the ANC Youth League before the ANC was banned. He died in combat in the Wankies Polilo Campaign in 1968 lest we forget.
- 3 I also wish to take this solemn moment to salute the memory of ^{Comrade} Cde Peter Mokaba, ~~who~~ those were enemies of peace in the time of

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15 April, 2003

TAPE: 110

DISK: 368

TAKE: P.2

our struggle chose to make him not popular, but unpopular with the slogan 'kill the boer, kill the farmer'. To us who shared the battle trenches with him know that he rallied the youth of this country around the slogan 'fight and produce land' not 'kill the farmers, kill the boers'. Not only that slogan. The one that he more often than not rallied them around was 'fight profusely'.

4 I also salute the memory of ^{Comrade} Cde Parks Mankahlana. I specially remember him for imbuing ^{to} ~~it~~ on the youth of our country the need to always analyse the world around you, ^{to deconstruct it and} to reconstruct it if necessary. I should have paid tribute to ^{Comrade} Cde Solomon Kalushi Mahlangu before I did so to ^{Comrade} Cde Peter Mokaba and ^{Comrade} Cde Parks [Mankahlana] I deliberately paid respects and tribute to him and saluted his memory last because I will return to the topic pertaining to him later in my speech.

5 The TRC process as it was alluded to by speakers before me was just one process amongst many that was intended to lay a foundation for reconciliation, peace, and change for this country. It was also meant to enhance the process of restoring the dignity of our people, those that were oppressed and those that were not ^{oppressed}.

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6 As South Africans we had hoped to extract out of the TRC process reparation which entailed what became known as the Five Rs, namely, redress, restitution, rehabilitation, restoration of dignity, and reassurance of non recurrence. If anyone considers the extent of damage, humiliation, denegration and untold miseries that were unleashed upon millions of South Africans by apartheid, the argument still stands that no amount of money will be able to pay for that damage. There is no amount of money that can buy or pay for the human dignity lost.

7 I therefore submit before this House upfront that the highest possible reparation price that we can pay to South Africans, those who are no more and those who are still alive, is a process of ensuring that South Africa becomes truly democratic, non racial, non sexist, prosperous, and united. [Applause.]

8 We owe it to ourselves as a form of reparation and compensation to make sure that we deliver good governance. That is the price we must pay. That should be our reparation and compensation.

9 The community of Galeshewe where I come from understands and accepts this argument. Hence they celebrate the fact that

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TAKE: P.4

because of a Cabinet decision, Galeshewe has become a nodal point for urban reconstruction and development. [Applause.]

- 10 This is besides the fact that ^{the} SANDF once killed youths in Thabane High School during school hours point blank because they had wanted to change that school into a temporarily military base during the state of emergency. They refused the community of Galeshewe for a number of days to ~~get~~ access to the corpses of their youth and children, and to clean the brains and blood that was scattered all over the classrooms. The highest price we received and happy for is the RDP. [Applause.]

- 11 ^{Ma} Mrs de Bruin of Upington, who was the only woman amongst the Upington 26, was on death row because of a common purpose ^{and} allegedly found guilty on the basis of a common purpose for killing a policeman in Upington. She went to testify to the TRC.

- 12 She is still waiting and standing in a queue like any other South African today for her RDP house. She says that it is not necessary for her to be paid money. She argues that she is happy to see Pabalelo becoming a better place to live in. The only thing she says is that she has since struggled since receiving ^{state} of execution to educating her four children who have all

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TAPE: 110

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TAKE: P.5

matriculated and are still waiting for the opportunity of getting employment. She is confident that eventually they will get employment. [Applause.]

- 13 The Khoi and the San people in the Northern Cape who live in Schmidtsdrift and in Platfontein just outside Kimberly understand and accept that no amount of money will repay for their dignity they were stripped of as a community by apartheid. They are happy to be resettled to become a community amongst South Africa^{en} communities. [Applause.]

- 14 On the TRC and education. It is very unfortunate, I suspect that there were no young members when the Act that constituted the TRC was put in place or the brief for the TRC was put there because I do not understand how did it become possible that education was not particularly a reference point.

- 15 There were ~~five~~^{six} main reference points given to the TRC. It was media, business, the religious community, prisons, health and the legal system. How we omitted education I do not know, but that is water under the bridge because correctly so education became an arena of the struggle because it was a vehicle for sustain^{ing} that heinous crime against humanity.

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TAKE: P.6

- 16 Young people swopped classrooms and lecture halls for battle trenches. They even converted classrooms and lecture halls into battle trenches that extended to the streets and back into the classrooms and lecture halls.
- 17 All South Africans in their millions, especially black South Africans, including white South Africans, were given gutter education whose main aim was to make other people subservient, therefore servants, and others to be masters and therefore superior. According to me there is no amount of money that will be able to correct or to repair for the damage caused by apartheid education.
- 18 I want to make a passionate plea to this House, luckily the President is here, and members of the Cabinet and the Premiers. The young people of this country who fought against gutter education, who understood that education had to be a necessary part of the struggle, had harboured a wish since the inception of Solomon Mahlangu Freedom College, Somafo, to see it come home. Some of them are no more.
- 19 It can come back as much as the argument holds that we must go and exhume the bones and the remains of our comrades all over

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TAPE: 110

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TAKE: P.7

the world. I think the argument can be sustained that we need to bring Somafo home. When we bring it home we must make it an institute of national excellence. It should exist alongside an ⁱⁿexistence with the Freedom Park to preserve our history.
[Applause.]

20 I am sure that everybody saw in the media in the past few days what the Iraqis are doing to themselves. It is painful. We do not want our people ever to do that to themselves, never mind what will happen to us.

21 Artifacts dating back to 5 000 years or so were broken in anger. I still argue that it is in anger against, not Saddam Hussein, but ~~against~~ the invasion of the Americans. [Interjections.] [Applause.] on Arab soil if you care to say.

22 That institute must be a beacon of hope when we bring it home for our people and a source of bread. It must have satellite institutions in all provinces. It must be a centre for research, ^{reconstruction and development} ~~for RDP~~. It must assess on our behalf, independently so, whether we are delivering or not. It must make recommendations to Government at local, provincial and national levels. It should be a centre from which our communities will derive lessons and

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TAKE: P.8

skills of conflict prevention and conflict resolution. It will be a centre for peace and war studies so that we must not forget and that we must not be complacent.

- 23 It will be a protector for our communities against unscrupulous, merciless and unethical researchers who use our communities as guinea pigs, never to return to them ^{or} to acknowledge them, not even in their theses, books, and whatever, ^{and} never paying any royalties to them. It will be a defender for our communities, indigenous knowledge and for intellectual property right of our communities. It will patent those rights where a need arises|.|.|. [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP (Mr M J Mahlangu): Order!
Your speaking time has expired hon member. [Applause.]

- 24 Ms M P MENTOR: Deputy Chair, I was told that when you are making a maiden speech you can exceed by two minutes. [Laughter.]
[Applause.] We will learn from that institute|.|.|. [Interjections.]

The DEPUTY CHAIRPERSON OF COMMITTEES (Mr M J Mahlangu): Order! -
Your speaking time has expired hon member. [Laughter.]

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[Applause.] Order hon members. Order! Hon Millin, I have not recalled you yet, you can take your seat. Hon Mentor can you take your seat please. You have taken a very good chance. I have heard that and I did use my discretion. [Laughter.]

Just to answer your question. A maiden speech is normally a term used to describe a member's first address to the House. I say this because you wanted to know. It is normally parliamentary procedure. Members who make their first speech in Parliament do not raise ^{conventions} ~~contagious~~ issues. [Laughter.] [Applause.] However, they should be listened to very carefully by the members without any interruption and I am happy that the members have done so. [Applause.]

I am also advised that the member at the podium is going to give her maiden speech. [Applause.]

Ms T E MILLIN

2.4. ANC Speech Analysis – Mentor's feisty Maiden Speech or one for the Comrades

introduction

Of the two maiden speeches scheduled during the joint sitting on 15 April 2003, both were to be delivered by female MPs. The first female speaker to address the National Assembly was Mabel Petronella Mentor, sitting in Parliament for the ANC. She would be followed immediately by the second maiden speaker, Ms Millin from the IFP. Among Parliamentary procedures the maiden speech is a particular type of speech. Referred to as either "Maiden" or first speech, according to the rules that govern Parliamentary procedures, 'it is a convention that a member's first speech in the House is uncontroversial and heard in silence. However, if such a speech is controversial or provocative, and members respond with interjections, the Chair will not enforce the convention' (Parliament of South Africa 2004, 55). According to a member of the Table Staff, maiden speeches previously used to be marked by brevity and were regarded as a Parliamentary procedure that, once new members had joined, needed 'to get over and done with.' In the recent past, this rite of passage a Member of Parliament has to go through, has become an event in itself, which lead to deliver longer speeches.¹³⁵ Ms Mentor's maiden speech was announced by the presiding Deputy Chairperson of the NCOP, Mr. M. J. Mahlangu¹³⁶ and was welcomed with applause from the House.

rhetorical moment

Mabel Mentor, as the eighteenth speaker in line that day, did at the very beginning of her speech pick up on and play on the fact that she was to deliver a maiden speech. Although South African parliamentary history has been dominated by men, the few women stand out and made a considerable impact. Helen Suzman, without a doubt, is the most famous female MP who served in Parliament prior to 1994. At some point of her long career as an MP, Suzman sat as the sole woman among one hundred and sixth-five MPs over a period of six years (Suzman, 1993,64). Within the ANC as well, there is a long-standing tradition of strong women activists and skilled speakers, notably Lilian Ngoyi, Helen Joseph and Albertina Sisulu.

Mentor, a veteran to politics, upon entering Parliament, has to re-create her image rhetorically – a task which is made more difficult by the nature of the event. She addresses the Joint Sitting for a total of

¹³⁵ Notes taken during informal interview with K. Mansura, June 2004.

¹³⁶ Mr. Mahlangu is meanwhile Chairperson of the NCOP due to his predecessor's passing away in late 2004.

thirteen minutes, attempting to extend by another two minutes and even once she had stepped down dominated proceedings and the chairperson's attention. The modes of persuasion she employed to challenge the tradition of the 'maiden speech' and to create her ethos will be explored in the analysis.

type of speech

The first maiden speaker to address the House, delivered a speech that was highly epideictic at the beginning, and further on into the speech became forensic, by the end deliberative and future-oriented. Following the same approach of the President, she rallies her audience around ANC history, choosing not places or events, but persons to be at the centre of her exhortation – she salutes the memory of deceased Comrades.

She subsequently interweaves judicial and deliberative styles when switching between the mandate of the TRC and provisions for reparations and policies such as the RDP, the ANC has adopted with regard to community development and education. This also means her changing tenses, from the past to the present tense in order to convey distance to the one context and immediacy of the other. Parts of her discourse are narrative in style as for example her rendition of student uprisings.

From paragraph twenty-two¹³⁷ until the moment when her speech was ended by the presiding Chair, her discourse contains a number of recommendations, more concrete than those other speakers made during the Joint Sitting. Given that Mentor delivered her maiden speech, it may well be that this speaker used "parliamentary license" to speak franker than the rules and regulations foresaw it for other speakers addressing the Joint Sitting.

taxis

Altogether, her speech comprised twenty-three paragraphs, whereby an attempted twenty-fourth was aborted by a good-humoured Deputy Chair. In terms of length of paragraphs, most tend to be fairly even in length. Only four, namely the third, the sixth, the twelfth and the twenty-second paragraph are longer. In addition to being slightly longer than most paragraphs, these sections also contain the key messages of the speech, namely creating a link with the past and setting the record straight. This becomes particularly apparent in the third paragraph when the adverb 'not' is four times expressing

¹³⁷ Hansard op. cit., (Tape: 110, Disk: 368, Take: P.7)

refusal, a corrective – revisionist – measure to set the record straight with regards to Peter Mokaba's exploits. Soon thereafter, in the sixth paragraph, the speaker echoes the President's stance on reparations and their never being able to weigh up to human dignity lost due to apartheid. Encapsulated in the twelfth paragraph is the answer, the remedy government holds to alleviate the pain for the masses of South Africans who have suffered under apartheid and still bear its consequences, like 'Ma de Bruin'.

Paragraph twenty-two serves to concretise the call made previously to bring SOMAFSCO home to South Africa, by outlining key areas of the foreseen tasks it would have and the areas its work would be focusing on. Some links can be established between these paragraphs: the third paragraph, set in the exordium, focuses on rectifying the image of Peter Mokaba and ensuring that he, as well as his fellow comrades Mankahlana and Mahlangu, who became the names-sake for SOMAFSCO do not become forgotten heroes. Towards the end of the speech, in the twenty-second paragraph, a detailed description of what could be labelled "SOMAFSCO Mzansi"¹³⁸, which is also the deliberative section of the speech gives this idea momentum.

pisteis

Calls for unity, references to values and tradition are part of Mentor's appeals to the audience's emotions. Her salute to Patrick Moseli Moloa in the second paragraph – 'He died in combat in the Wankies Polilo Campaign in 1968 lest we forget' – contains a phrase borrowed from the title of a famous book published in the troubled decade of the 1980s on 'black political organisation from the inside', a Pan Africanist's insight, Philip Kgosana's *Lest We Forget* (Motlhabi in: Mangena 1989, i). Another quote that would effectively stir the emotions was a rendition of the slogan by ANC youth leader Peter Mokaba that became as famous as the PAC's 'one settler, one bullet', 'kill the farmer, kill the Boer'. The final salutes Mentor makes are to two members of the ANC who were more strategists than activists, Parks Mankahlana, Presidential spokesperson from 1994 until his death in late 2000 and Solomon Kalushi Mahlangu who 'represented the generation that fought the apartheid state in 1976' (Morrow, Maaba & Pulumani 2004, 13). Mahlangu after whom SOMAFSCO was named, was a young MK soldier who was executed in 1979, albeit calls from the UN to revert his sentence to life and is known for his last words 'tell my people that I love them and that they must continue the struggle. My blood will nourish the tree that will bear the fruits of freedom' (ibid.). Given that Mentor delivered her maiden speech on 15 April, her making reference to a certain aspect of the struggle and paying tribute

to the struggle icons mentioned above, was also an ethical appeal, as she produced her political identification to the ANC "customs officials" who were allowing her in among them that day. Paragraph eighteen best reflects this undertaking, as she combines boldness with humour stating that 'I want to make a passionate plea to the is House, luckily the President is here, and members of the Cabinet and the Premiers'¹³⁹.

Her line of argumentation is by induction, producing a number of arguments and testimonies in support of her thesis. Her reference to events that took place in Iraq at the time are parallel to Mbeki's argument on the blood-stained path that led to South Africa's liberation.

topoi

The hallmarks of epideictic discourse are praise and blame and Mentor's speech switches between the two depending on her focus. When referring to the heroes of the past, she lauds these individuals and in the case of Mahlangu, this extends to the institution that was named after him. References made to the TRC are more critical, at times blaming the commission for shortcomings – education should have been one of the special hearings. Praising people such as 'Ma de Bruin' and the Khoi and San who 'understand and accept' government policy supports her efforts to prove that development and community upliftment leads to reconciliation. Besides the *topos* of reconciliation, the *topoi* of unity, the *koinon* of the greater good is upheld. She also used examples, arguing by induction and testimony, in particular authority and testimonial, adding an authentic label to her speech. SOMAFSCO, for all those who had been part of the institution it personified the experience of being exiled. Mentor effectively uses it to call for the return 'home' of the former ANC school, aligning her arguments to the discourse of restitution of artefacts or the remains of Sartjie Baartman two years ago. A further *topos* deriving from the ceremonial nature of the Joint Sitting would be the *topos* pertaining to past fact and future fact – Mentor uses SOMAFSCO to lobby for a better education.

¹³⁸ Recently popularised African term for South Africa, used mainly in the entertainment industry but also picked up by postal services for advertising purposes.

¹³⁹ Hansard op. cit., (Tape: 110, Disk: 368, Take: P.6)

By feigning ignorance – 'I do not know what a maiden speech is, but I will ask at the end of my debate' – Mentor revealed herself to be a feisty as well as humorous woman. She made the assembly laugh and with humour challenged one of the most established parliamentary traditions. Indeed, as Lunsford and Ruszkiewicz state, '... humour can be a powerful form of argument. You can use humour as a strategy to make readers well disposed toward your own projects or to ridicule people and concepts you don't like' (Lunsford & Ruczkiewicz 1992, 216). Haigh also asserts what would certainly also apply to women parliamentarians, that 'A wise member will sense the mood of the House before he jests. A joke, when the atmosphere is serious or solemn, jars like a broad story told at the breakfast table' (Haigh 1951, 127). Mentor regards the Joint Sitting as a ceremonial event, and a range of words derive from that register: 'salute the memory' and 'solemn moment'¹⁴⁰. She openly challenges the decorum of a 'maiden speech'. This point was emphasised during an interview with Mentor, who is a seasoned speaker and firm believer in gender equality. When asked whether she would have liked to make any changes to her speech, she responded:

I would not have. If you listen to it [the speech] I asked what is a maiden speech. I would have, I would not have liked it to be referred to as a maiden speech. I am still questioning why first speakers in Parliament are referred to as making maiden speeches, that's the only thing. And not only related to, I was still asking the same question this morning, say is it a gender stereotyping thing to say that a novice is a maiden and is a woman in politics (Interview 3: Mabel Mentor 1 June 2004).

Her speech is set in the context of the student uprising of the late 1970s and reflects in her language, militarised by words such as 'combat' and 'enemies of peace'¹⁴¹, 'battle trenches'¹⁴² and 'peace and war'¹⁴³

analysis

Speaking late in the afternoon, Mentor used of humour and irony to draw the attention of her audience, succeeded in making it well disposed toward her. Following the "light" opener of thinly veiled critique, she promptly adopts a different register by saluting the memory of four ANC members. The language used becomes military style and introduces a special chapter of the ANC's history, the armed struggle. She dedicates three paragraphs to pay her respects and fire oratorical salutes to Patrick Moseli Moloa, Peter Mokaba, Parks Mankahlana, as well as Solomon Kalushi Mahlangu. While the former was the ANC Youth League leader until the organisation's banning in 1960, Mokaba was a military trainer of

¹⁴⁰ Hansard op. cit., (Tape: 110, Disk: 368, Take: P.1)

¹⁴¹ Hansard op. cit., (Tape: 110, Disk: 368, Take: P.1)

¹⁴² Hansard op. cit., (Tape: 110, Disk: 368, Take: P.2 & 6)

¹⁴³ Hansard op. cit., (Tape: 110, Disk: 368, Take: P.9)

the MK and Mankahlana, before becoming the President's spokesperson, was a media studies instructor. Solomon Mahlangu, a young MK condemned in 1978 to death by execution, became the namesake of the ANC School, SOMAFSCO, established in Mazimbu, Tanzania in 1978.

In general, the salutes comply with the 'solemn moment' the speaker finds herself addressing her audience. She introduces however, also a 'revisionist' angle to her deliberation by defying certain images and rumours associated with these men and tries to set the historical record straight. The fact that she knew these men, who trained and educated her, gives her arguments more weight. Noteworthy is the fact that even this feisty woman seems to need strong men to bolster her ethos.

Following the Sharpeville massacre and banning and subsequent imprisonment of the political leadership of both the PAC and the ANC in 1960, for those remaining free, little were the options left to pursue the struggle. More than fifteen African states gained independence that same year, Southern Africa however, was still ruled by either colonial or white minority regimes. This context gave rise to new approaches and policies, as younger members of the ANC became radicalised, eventually embraced the use of violence to achieve their goals and pursue the struggle of their fathers and mothers. Mentor is part of the generation of ANC leaders who came of age in the late 1970s. A shift from liberal philosophy to the ideological schools of the bipolar world order, as well as a drop in age from revered older leader figures to younger ones occurred around this time. By virtue of being part of the Soweto generation, Mentor has authority when speaking for the youth, on education and it is not surprising that her approach to politics is still militant. Morrow, Maaba and Pulumani, in their book on *Education in Exile*, note the 'fact that a school is not at first sight an overtly "political" entity implied that the ANC was bidding to lead and mould South African society in a comprehensive way, and signified that it intended to re-establish itself as a decisive force in contemporary South Africa' (Morrow, Maaba & Pulumani op. cit., 10). Her speech using the *topos* of past fact and future fact, aims at displaying and memorising this particular period of ANC history and creating an emotional bond between that past and its protagonists, linking it some of the current issues and concerns to ultimately be furthering this vision.

Following the evocation of struggle heroes, combat language and the monumental ANC history, it is only by the fifth paragraph that the TRC receives any mention, over-shadowed by the mausoleum she oratorically erected for her struggle comrades. Post-positioning the TRC in such a way reveals the role and the significance the speaker apportions the commission. Mentor reduces the role and significance the TRC has played by stating that 'the TRC [...] was just one process amongst many that was intended to lay a foundation for reconciliation, peace and change for this country.' Having elevated and

repositioned the four struggle heroes appropriately on the ANC heroes' acre, this place of combat, struggle and memorialisation becomes a more important and prominent foundation – *topos* – for reconciliation. The promotion of reconciliation was a fundamental part of the Commission's mandate, by shifting the onus onto peace and change she operates within Miall's concepts of negative peace (absence of political violence, presence of political peace/reconciliation) and positive peace (absence of structural violence, social peace and reconciliation) which frame the process of justice (truth, transparency, acknowledgement, reparation), represented in the case of South by the TRC process (Miall 1999, 33). This implies a shifting away from the mid-stage, in this case the TRC stage. This goes hand in hand with Mentor's rendition of the Commission's mandate by means of paraphrased ANC campaign slogans. Her discourse aims to create unity, underlining that the process was all-inclusive and aiming at restoring the dignity of all. This argument echoes the tenets of the Freedom Charter of 1955. Perelman and Olbrechts-Tyteca note that

[...] the argumentation in epideictic discourse sets out to increase the intensity of adherence to certain values, which might not be contested when considered on their own but may nevertheless not prevail against other values that might come into conflict with them. The speaker tries to establish a sense of communion centred around particular values recognised by the audience, and to this end he uses the whole range of means available to the rhetorician for purposes of amplification and enhancement (Perelman & Olbrechts-Tyteca 1969, 51).

Inclusiveness is invoked upon in the sixth paragraph, which deals in particular with one of the issues the TRC as well as the Joint Sitting was to address: reparations. At this point Mentor cites the aims the Reparations and Rehabilitation Committee were charged with and juxtaposes these facts, with 'the extent of damage, humiliation, denigration and untold miseries that were unleashed upon millions of South Africans by apartheid'¹⁴⁴ The only logical conclusion that one can deduct from such a juxtaposition is that 'no amount of money will be able to pay for that damage. There is no amount of money that can buy or pay for the human dignity lost.' Repeating the argument is a means to give it more credence, serves as a means of persuasion. This argument furthermore works in support of the same argument brought forward by President Mbeki. If no monetary value can be attributed to the pain and suffering endured during the fight for liberation it follows that no concrete measure can be taken. What can be done lies in the realm of the abstract values: 'ensuring that South Africa becomes truly democratic, non racial, non sexist, prosperous, and united.' This pledge is a rendition of the Founding Provisions and the Bill of Rights of the Republic of South Africa, enshrined in the constitution:

The Republic of South Africa is one sovereign democratic state founded on the following values:

- (a) Human dignity, the achievement of equality and the advancement of human rights and freedoms.
- (b) Non-racialism and non-sexism [...] (The Constitution of the Republic of South Africa op. cit., 3).

¹⁴⁴ Hansard op. cit., (Tape: 110, Disk: 368, Take: P.3)

Inference to values should not be surprising, given that 'in the fields of law, politics, and philosophy, values intervene as a basis for argument at all stages of the developments' (Perelman & Olbrechts-Tyteca op. cit., 75). The authors furthermore note that 'the need for reliance on abstract values is perhaps essentially connected with change' (Perelman & Olbrechts-Tyteca op. cit., 79). However, putting all South Africans, 'those oppressed and those who were not oppressed' on the same level, equals to the past being reformulated and narrated as a collective experience. This approach by redefinition of the past rules out individual pain. The TRC and the religious-redemptive narrative driven by Tutu, focusing on individual experience, aimed at giving names, faces and voices to those who suffered under apartheid, recognise their bravery, give support where possible and indicate where and how reparations should be paid out. By juxtaposing what was expected of the Commission, – 'we had hoped to extract out of the TRC process reparation [...]'¹⁴⁵ with the argument that 'no amount of money will be able to pay for that damage'¹⁴⁶, the speaker aligns two concrete ideas, namely reparations and damage. In the following sentence, however, the argument shifts again to abstract values, a non-measurable level, where reparations, standing for justice and dignity are juxtaposed. Generally, the notion that a formula can be applied apportion reparations, is rejected. What was neatly grouped into '5 Rs' by the TRC, 'namely, redress, restitution, rehabilitation, restoration of dignity, and reassurance of non-recurrence' is not regarded as possible, given that what is to be considered cannot be captured, nor measured: 'the extent of damage, humiliation, denegration [sic] and untold miseries that were unleashed upon millions of South Africans by apartheid', [...] the speaker sums up the obvious by concluding that 'no amount of money ... can buy or pay for the human dignity lost'¹⁴⁷.

The 'Big 5' has become a *topos* of tourist brochures. Although the idea that the issue around reparations can be grouped into just "5 Rs" is rejected (like big game), it still wakes the expectation of a sixth "R", which in the case of South African wildlife is the whale, referred to as the "Big 6". In the ensuing paragraph, Mentor for the first time introduced the idea that reparations are linked to good governance and the promotion of more abstract values that will make South Africa a 'truly democratic, non-racial, non-sexist, prosperous, and united'¹⁴⁸ country. She expands on this idea in the next paragraph that contains 'reparation and compensation'¹⁴⁹ in the first as well as the last sentence of this short paragraph. It is of particular importance as it uses terms related to monetary value and exchange, such as 'we owe', 'we must pay' and 'price'¹⁵⁰ that conjure the idea of concrete financial figures and denominations. What initially is defined as 'form of reparation and compensation' in the final sentence is qualified as 'that

¹⁴⁵ *ibid.*

¹⁴⁶ *ibid.*

¹⁴⁷ *ibid.*

¹⁴⁸ *ibid.*

¹⁴⁹ *ibid.*

¹⁵⁰ *ibid.*

should be our reparation and compensation"¹⁵¹. This paragraph is addressed not only to those who had been waiting to hear the government's position on reparations but also to the TRC. Using a collective trope 'we', the speaker rejects the idea that money can do what only good governance will offer: reparation and compensation.

The speaker switches between addressing her audience by invoking the personal pronoun I and we. While the former serves to propose adherence to values commonly embraced and appeals to unity, the latter is used when policies and official responses by government are described. 'We' is also a means to rally her audience around feelings of national pride and a sense of belonging, directed at all 'South Africans'. The interaction between the two levels is visible in the ninth paragraph¹⁵² where such a "new reality *polis*" is exemplified by a non-artistic proof, a close-up on Galeshewe. At the point where criticism would most likely be raised, a concrete example is provided to silence disagreement. Insight is given into the history of a township community in the Northern Cape for which Mentor sits – and now stands up for – in Parliament. The area has been marked by SANDF brutality against school children during apartheid but 'has become a nodal point for urban reconstruction and development'¹⁵³. The very use of the terms 'reconstruction' and 'development' without doubt would conjure up the first post-1994 government's most famous policy, the RDP in all listeners. To this very day, more than ten years after the first democratic elections, this acronym is the most broadly known government policy, is uttered like a magic formula and revered in townships, informal settlements and rural areas of South Africa, better known than the Bill of Rights¹⁵⁴. It is henceforth not surprising, that the RDP is mentioned a little further on and used to demonstrate how the new government has changed lives in an area where the past, in all the shades of South Africa's brutal history, lives on.

In direct opposition to the community of Galeshewe and the ANC's RDP, the audience is introduced to 'Ma Bruin' of Upington who went to give testimony at the TRC. 'Ma Bruin', although depicted as a special case, has not received special treatment by going to the TRC: '...the only woman amongst the *Upington 26*, was on death row because of a common purpose and allegedly found guilty on the basis of a common purpose for killing a policeman in Upington. [...] She is still waiting and standing in a queue like any other South African today for her RDP house.'¹⁵⁵ Mentor refers to 'Ma Bruin' as if she knew her personally and in performs the duty bestowed on her as representative voice for the voice of the people: informs her audience that 'she says that it is not necessary for her to be paid money. She argues

¹⁵¹ *ibid.*

¹⁵² Hansard op. cit., (Tape: 110, Disk: 368, Take: P.3)

¹⁵³ *ibid.*

¹⁵⁴ This insight was gained while conducting risk assessments in three informal settlements around Cape Town.

¹⁵⁵ Hansard op. cit., (Tape: 110, Disk: 368, Take: P.4)

that she is happy to see Pabalelo becoming a better place to live in'.¹⁵⁶ What she effectively conveys is how the TRC's focus set on individuals and reparations differs from the ANC's as it is the ANC government which has the well-being of the communities, of the collective, of South Africans at heart, building bridges of prosperity between the present described and the past alluded to. Instead of "5 Rs", like the joker in a set of cards, the speaker pulls out a sixth option and offers the triumphant RDP: an argument as mighty as a whale. An area close to Mentor's heart, is education:

You would never find me speaking and not referring to education. Deliberately or accidentally. I think, and in fact education is the greatest equaliser or dis-equaliser (Interview 3: Mabel P. Mentor 1 June 2004).

Although she concedes shortcomings in the educational sector, the fact that 'Ma Bruin's' children are unemployed is circumscribed: 'waiting for the opportunity of getting employment'. Employment/Work for all, is an ever-popular and populist campaign slogan and given the excessively high percentage of unemployment in South Africa, the repeated use of 'employment'¹⁵⁷ will surely strike a chord with Mentor's audience, in particular but not only, her home constituency.

In order to demonstrate the success of uplifting government policies, a third example is provided that draws attention once again to the Northern Cape, 'by far the largest of the provinces in area, and the most sparsely populated, [...]' (World Atlas for South Africans 2004, 34). The focus this time is on the indigenous population of this area, the Khoi and San people, who were stripped of their dignity as a community by apartheid. In the same manner in which Mentor had paraphrased 'Ma Bruin' earlier on, she states that 'they are happy to be resettled to become a community amongst South African communities'.¹⁵⁸ Once again, a civilising mission by inclusion into the national community, becoming 'South African' is portrayed as the greatest benefit to be obtained. That the Khoi and San need to become a 'community amongst South African communities' is based on an assumption that they previously were and still are outside this community. In other words, these indigenous people of Southern Africa are described as 'others' to be nationalised, in order to belong. Highly problematic in this argument is that a membership in the national project, to be made proudly South African, forces these people to be moved. Although the term 'resettle' is used and not 'remove', this is the same strategy as the infamous Group Areas Act. This subtle change of words, in this particular context, reveals only a hint of change, as ideas and concepts of the past still roll over newly-democratic tongues.

Mentor's speech addresses two main issues and links them to the TRC: reparations and education. She follows a similar approach with both, measuring the success of the TRC with its mandate and method.

¹⁵⁶ *ibid.*

¹⁵⁷ Hansard *op. cit.*, (Tape: 110, Disk: 368, Take: P.5)

¹⁵⁸ *ibid.*

While reparations were evaluated in terms of the '5 Rs' and juxtaposed to the government's one and successful R, the RDP, regarding education she laments the fact that it did not become the focal point of a special hearing. She states that 'it was very unfortunate'¹⁵⁹ that the TRC failed in dealing with violations that occurred in the area of education, one of the main battle fields the apartheid state created and on which Mentor herself fought. Emphasis is placed on the fact that these freedom fighters were young, as Mahlangu was, SOMAFCO's namesake, becoming embroiled in politics and drawn into 'battle trenches' when they were barely in their teens. The protest the youth of Soweto started was aimed at better education and perceived as an attack against the apartheid regime was brutally put down. Mentor, however emphasises the fact that it was for a better education for all South Africans. It is a known fact that the apartheid government deliberately tried to provide a minimal education to the non-white population by spending much more on white students. Mentor, the former youth activist levels the situation out and highlights the fact that the over-all quality of education was poor, once again advancing the ideals of the Freedom Charter. She argues that it short-changed every South African, served to keep all in bondage, as her comparison between masters and servants exemplifies. While all whites under apartheid may be regarded as beneficiaries, most of them still were also misled and fooled and in an ironic twist, this creates unity and equality amongst South Africans. In order to emphasise how strong Mentor feels about this matter, she addresses her audience directly, 'according to me there is no amount of money that will be able to correct or to repair for the damage caused by apartheid education,' a repetition of what she had said earlier on with regards to reparation. She does however, pursue a different approach than earlier on in her speech when she paraphrased Mbeki's speech and now addresses the President directly 'to make a passionate plea', mixed with humour. Speaking during a joint sitting, with the Members of Parliament and of the NCOP all in the House, she nevertheless puts her request to the President, members of Cabinet and Premiers.¹⁶⁰ While it remains impossible to deduct from this statement the opinion and value the speaker holds toward the institution of Parliament, however, given that the TRC was established through an act of Parliament and Mentor in her address seems to bypass it, a hypothesis could be put forward that the speaker deliberately curtails its significance. What she effectively does is prove that she will speak frank and go straight to the top regarding matters of importance she effectively also lends her support to the rhetorical presidency. Her 'passionate plea' to bring home SOMAFCO, stands for a specific chapter of the struggle and would have a strong emotional effect on her audience. Professor Kader Asmal, wrote in the foreword of *Education in Exile*.

SOMAFCO was a beacon of hope. South Africans from all backgrounds, and solidarity workers from many parts of the world, showed at Mazimbu and Dakawa what a new educational system might be and what new ways of thinking about teaching and learning could achieve (Morrow, Maaba & Pulumani 2004, v).

¹⁵⁹ *ibid.*

¹⁶⁰ Hansard op. cit., (Tape: 110, Disk: 368, Take: P.6)

In order to underline her plea, she not only becomes an Antigone, the medium for those who are dead, but she personifies this institute, which like the bones of former freedom fighters scattered around the globe must be exhumed and brought home. The intensity of her plea is underlined by the fact that she repeats 'bring home'¹⁶¹ three times and that she knows how important a proper burial ceremony, just like in Greek culture, is in African culture. During the time of the TRC, a significant amount of exhumations and reburials were in fact conducted but as Mentor suggests, there are still bones to be collected and bodies to be brought home. The difference between the TRC's work and "SOMAFCOII" are an emphasis on the individual on the side of the commission, and a collective mission on the other, resounding of Freedom Park. Besides the emotional appeal, no further arguments proving the need or benefit of such an institutional "undertaking" mission are given. Instead, the audience is transported far away to Iraq. The example of Iraqis destroying their national heritage is highly evocative and without a doubt would stir emotions in her audience, underlined by visuals captured and viewed on TV. The message the speaker seems to convey is not so much why these artefacts were demolished but seem to warn about the consequences that must be endured when the wrath of a people is unleashed. According to Aristotle, anger is 'desire, accompanied by pain, for revenge for an obvious belittlement of oneself or one of one's defendants, the belittlement being uncalled for' (Aristotle 1991, 142). Furthermore, 'with all anger there must be an attendant *pleasure*, that from the *prospect of revenge*.'¹⁶² Lack of respect or belittlement is a source for anger, 'for men think it right that they should be revered by those inferior to them by birth, by power and by virtue and in general by whatever it is in which they much excel;' (ibid.). In a more direct way, Mentor tried to repeat a point made previously by Mbeki as he suggested that the present world order was 'unstable' and by implication, South Africans were lucky to live in a peaceful country. Emotions in the House, most likely stirred as soon as she mentioned Iraqis and rose high and led to both captured by Hansard: interjections and applause.¹⁶³

Following this dramatic argumentative excursion, Mentor picks up where she left her audience: at home. The home-ward motion in her speech runs parallel to her argument about bringing home SOMAFCO, associated with positive metaphors such as 'beacon of hope' and 'source of bread'¹⁶⁴. A string of the auxiliary 'must' adds intensity to her quest that is to motivate the return of SOMAFCO: 'we must not forget and that we must not be complacent'¹⁶⁵. Author and playwright Mandla Langa in Sparks' book is quoted on the new South Africa being a country 'immured with amnesia, where the past never happened' (Sparks op. cit., 5). Mentor, in using terms the audience would relate to, adds to the tapestry, a memory-enhancing mosaic, the ANC created during the Joint Sitting. The theme of coming

¹⁶¹ ibid.

¹⁶² Aristotle, *The Art of Rhetoric*, Penguin Classics, London: 1991, p.142.

¹⁶³ Hansard op. cit., (Tape: 110, Disk: 368, Take: P.7)

¹⁶⁴ ibid.

¹⁶⁵ Hansard op. cit., (Tape: 110, Disk: 368, Take: P.8)

home, given the experience of exile, has been a recurrent one in South African politics, literature and also music, ranging from the return of Saartjie Baartman, to John Kani's play "Nothing but the Truth" to one of Hugh Masekela's famous songs, "Mandela (Bring Him Back Home)". Repetition would without a doubt stir emotions within the audience.

Mentor's speech ends in a similar way in which it had started: with laughter, applause and in a bit of commotion, seeing that she extended the time she was allocated. While elaborating on the duties of a South African-based SOMAFSCO, Mentor is called to order by the presiding Deputy Chairperson of the NCOP. Not ready to step down yet and return to her seat, she tries her luck at challenging, maybe mocking, Parliamentary procedures and tradition once again and retorts 'Deputy Chair, I was told that when you are making a maiden speech you can exceed by two minutes.'¹⁶⁶

conclusion

Mentor's speech a number of times reiterated points made by President Mbeki. Although, however, she toyed the ANC party line and reaffirms her allegiance to struggle heroes, she proved to be feisty and able to cause strong reactions. This did however transpire even more from her style, her demeanour, handling of parliamentary rules and regulations and literally her approaching the lectern and unwillingly relinquish it, than her actual speech. Was she successful? While complying with the general ANC line, she did make it very clear that if you touch a woman 'you will be crushed' (Bernstein in: IDAF 1981, 4). Just like the twenty-thousand women who marched onto Union Buildings in Pretoria in 1956 and in their "bodily mass" formed a massive argument, she her body language as an argument, conveying a powerful message: don't try and push me around with your maiden conceptions of women, I speak when and what I like:

I can be here and say to Lechesa, "I'm menstruating and I have menstrual pain, if my work, is not so satisfying, know that I am in pain right now". So, I will urge women to always look for the advantages, for me the advantages outweighs the disadvantages, [...] (Interview 3: Mabel Mentor MP ANC, 1 June 2004).

This is possibly also an answer, a counter-position to Mbeki's imagery of renaissance and *To Every Birth Its Blood*, indicative of the way some women (men too) approach persuasion: if not feisty and bombastic, then subtly and with the sharp weapon of humour. Her presence more than words then is a metaphor: "don't mess with me, I ain't a maiden (speaker) when it comes to politics!" Mentor made a grand entry on the parliamentary walk of fame – in line with the noble tradition of her predecessors.

¹⁶⁶ *ibid.*

Not only did Mentor stage a memorable entry during this Joint Sitting, she also sent a clear signal to her audience that she was a fearless orator and willing to challenge rules and procedures. She is a force to be reckoned with, as the member in line right next to her, whose speech was delayed due to Mentor's challenge and jests. Confused by the stir Mentor caused or nervous, the IFP's maiden speaker, Ms Millin approached the lectern before having been called up and then had to briefly return to her seat. Whether or not Mentor did indeed aim at challenging parliamentary customs or aimed at derailing a fellow member, remains open to speculation. As this analysis reveals, is that Mentor made her mark. In no uncertain terms she conveyed to her peers that she was a (rhetorical) force to be reckoned with – an achievement, given that the Joint Rules and Regulations hindered her from performing at her best.

University of Cape Town

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15 April 2003

TAPE: 117

DISK: 374

TAKE: V.1

Mr W J SEREMANE

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2.5. MINISTER FOR JUSTICE & CONSTITUTIONAL DEVELOPMENT, PENUELL MADUNA'S SPEECH

| The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

Chairperson, I don't think it is necessary for me to go over what I consider, in general terms, to be a very good debate on the speech by the President on the occasion of his tabling the final report of the TRC. I do think we have had a wonderful discussion. All of us had a moment to reflect on where this country has come from, where it is and where it is going. Unless one intends to dilute what has been said, or in any way which is negative affect what has been said, one should not go over the debate.

2 I think what remains to be done now that the President has performed his task under section 44 of the Act is for Parliament to then perform its function under section 27(2) of the Act,

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TAKE: V.2

which would then conclude this part of our work. Therefore, I do think, Chairperson, that at a certain moment you might indeed want to consider reminding Parliament what its specific function is in this regard.

- 3 It is unavoidable, however, to comment on some of the observations that were made by some of the members. It's expected, I'm sure, that one should start with the hon member Mncwango's remarks. Hon member Mncwango says we need to close the book, and he talks about the issues of amnesty and of ensuring that bygones do indeed become bygones.
- 4 I do wish that the hon member had adopted this posture when the moment was right, when indeed we could all have advised all the people, who participated in the conflicts of the past under the auspices of our parties, how to deal with the TRC. This is because if we had not encouraged people to regard the TRC with disdain, the hon member would not be making this plea today. The hon member said that a group of ANC leaders - 27 of them - applied for amnesty and failed to get it.
- 5 I don't how many times we have tried to explain what was happening here. That group of ANC leaders was led by the

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President here. I dare any member of this Parliament to stand up now and say what the President is guilty of. And even if they have evidence, they are fully entitled to go to the nearest police station and say: "Charge him."

(What we decided to do as the leadership of the ANC, which the TRC failed to understand, was to take full responsibility for whatever happened under the auspices of the ANC. [Applause.] Good and bad. That was a deliberate position we took.

7 In other words, we did not find it useful to distance ourselves from people who fought apartheid under us, and those who may have made any mistakes in the course of fighting and, indeed, who may even have committed crime^{es}. We said, as the ANC leadership, that we couldn't do that. Of course, there are parties which chose to distance themselves from their own cadres. They did do so. [Applause.] The ANC didn't do that.

8 Now, I am saying that if indeed you know of any crime we committed for which we need to^{be} punished or pilloried, go to the nearest police station. They will take a statement from you, and eventually whatever you think is evidence at your disposal would have to stand judicial scrutiny. If it fails, accept that.

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- 9 The hon member then made another very interesting remark here. He said that the President of the Republic of South Africa said that the ANC leadership conspired to kill uMntwana wakwa Phindangene. Nothing could be further from the truth. I want to quote what the TRC was told by the ANC leadership in its second submission to the TRC. I'm on page 13 of 41 pages, and I quote:
1. The TRC has asked what was the ANC's "military policy" towards Inkatha, and whether the ANC leadership considered members of Inkatha to be "legitimate military targets". The ANC had no "military policy" with regard to Inkatha. The ANC has never considered Inkatha members or officials as targets simply because they aligned themselves with Inkatha.
- 11 Now I dare the hon member to produce evidence to the effect that the President said that we, in the leadership of the ANC, conspired to kill uMntwana wakwa Phindangene. We never did. What we certainly did tell the TRC was that when we became aware of the existence of a unit in uMkhonto weSizwe that indeed was debating and thinking of this, we made the necessary interventions as leadership. We made those interventions.

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- 12 Now it was not the leadership. Anybody could have discussed the President - could have discussed Madiba. It would be grossly erroneous on the part of anyone to say that that was a conspiracy on the part of the leadership to murder uMntwana wakwa Phindangene. But once we became aware of that, we intervened. Hence, nothing was done to harm him. [Applause.]
- 13 He works with us in our Government today as a matter of choice made by us in the ANC, because we value the contribution he makes. We never conspired to kill him. Indeed, the record will show that the President never made that statement, and if the hon member wishes to challenge it, the record is there in the archives. It was captured electronically, and it is also there in hard copy. We shall retrieve it for the benefit of this House.
- 14 The hon member also said something about Archbishop Tutu's bias. It is useful to remember that no commiss^{er}_{ioner} was self-appointed. They were all appointed by the head of state under this Act - the Promotion of National Unity and Reconciliation Act of 1995. At least two conditions applied in their appointment. The first condition was that they would be appointed by the head of state, by the President, as commissioners "in consultation" with the

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Cabinet, not "after consultation", but "in consultation". Then, of course, that implies that we had a veto over the President's power to appoint them, because if indeed we didn't want any one of them as members of Cabinet, we could easily have said, "No, Mr President, not this one." [Interjections.]

15 The second condition before I come to what I was going to say, was that they would be fit and proper persons who would be impartial and who would not have a high political profile. Of course, what the hon member doesn't say is where else we could have found these people. We were not looking for a *deus ex machina* that would descend from on high to solve our problems. We were looking at South Africans as we found them. Indeed, inasmuch as Tutu might have had anything to do with the United Democratic Front, the number 2 after him, Alex Boraine, had very much to do with Tony Leon's party. A lot to do with it! Nobody tells us that he had a particular bias.

16 There were others as well who had real hostility towards my ANC. But when the President said, "These are the men and women I want to appoint as commissioners," acting in consultation with us in Cabinet, we all said that that was right and to go ahead and appoint them. Indeed, the TRC has done a good job with very

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limited resources and within limited time. [Applause.] The world despatches delegations upon delegations to come here. As I'm speaking there's a delegation here from Sri Lanka to learn from us how we South Africans made it, how we did it. For God's sake they would not be coming here if we had made a mistake by setting up the TRC and appointing whoever we did appoint through the President. It was not a mistake.

17 Again, it was absolutely necessary for us as a country to go through that cathartic experience so that we are able to say that though we don't know the whole truth, though we may be some distance away from reconciliation, though we may be some distance away indeed from the total eradication of poverty, the truth is that as a country we are able to say that the past will never be visited upon anybody and upon any community in this country.

18 There never shall be education specifically for a certain group, intended to thwart and stunt its development as a group. There never will be group areas, there never will be whites-only schools, etc. There never, for that matter, will be any parts of the God-given Indian and Atlantic Oceans reserved for certain races. That will never happen. It can't happen. [Applause.] It

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can't happen, because the people of the Republic of South Africa in their entirety, black and white, turned their backs once and for all on apartheid and whatever it stood for. All of them!

19 I said last week that even those who had to be grabbed by the scruffs of their necks and led kicking and screaming into the modern Republic of South Africa accept today that there will never be a moment for them to drag this country back to where it has come from. I said to Afrikaners last week that the Afrikaner adage "Agter ^{os} ~~ons~~ kom ook in die kraal" is applicable here.

20 Bantu Holomisa, my old friend the hon Holomisa, wants to know why we are actually opposed to the litigation in the US. This has been canvassed by so many speakers that I don't think we need to dwell on it that long. But I think it needs to be said that if we could find political and, subsequently, social and economic problems to what seemed intractable problems of the Republic of South Africa, it shall not take a court in America in excess of 10 000 kilometres from here to find a solution to the disabilities of blacks. I want to say, again: Think carefully about what you are talking about.

21 Imagine the scenario if these companies, which are actually

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trading in the South African economy and have investments here, have judgments imposed on them by America and, as a result of those judgments, they then have to pay damages to a whole host of people - by the way, the money won't come from trees, it will come from investments - and therefore they may have to shred jobs. The same people that you pretend to be so concerned about, will pay the price. It won't be paid by anybody else, after a judge in America has given that decision. It will affect the people of South Africa directly.

22 We, this Government, think we should deal with the problem totally differently, and we want to believe that the masses of our people accept the way we are dealing with it. We have no intention whatsoever of causing a socioeconomic interruption in whatever we are trying to do and achieve. We have no intention whatsoever of doing that. No leader worthy of his or her salt would do anything that is tantamount to shooting himself or herself in the foot and hoping he or she can run after that. We shall not do that. We shall do it our way.

23 The President has invited all of us to make a contribution towards the President's Fund and, indeed, we should. It is an invitation extended to all of us, whether we were beneficiaries

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of apartheid or victims thereof, or whatever. Maybe like Tony Leon you might have been neither fish nor foul, etc.

[Interjections.] No matter what you may have been, there is a call that has been made in that if you are able to do anything about the plight of the majority out there, do it. Do it. We owe it to ourselves and we owe it to posterity to do something about the disabilities of blacks that are neatly traceable to our past, to our colonial past and its apartheid offshoot.

24 Therefore, what remains to be done is for each and every one of us to go to the constituencies we represent and interact with and to tell them about the message of the President. Ke a leboga Ngiyabonga. [Thank you.] [Applause.]

Debate concluded.

The SPEAKER: Order! Hon members, that concludes the debate.

However, I want to remind you that the Minister has indicated that the Promotion of National Unity and Reconciliation Act provides for a joint committee to consider matters referred to it in terms of the Act. This committee will now be constituted to take matters further and specifically to consider recommendations with regard to reparations for victims, as

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required by section 27 of the legislation.

We need now to speedily give consideration to the proposals that were presented to us earlier by the President. The presiding officers will constitute the joint committee as soon as possible and mandate it to submit its report as soon as we return from recess.

The Speaker adjourned the Joint Sitting at 19:03.

LB/

2.6. ANC Speech Analysis – Maduna's Peroration

introduction

Prosecution, flanked reparation as a central issue of the recommendations made by the TRC. With regard to the former, the TRC report states that 'in cases where amnesty applications were not made or were unsuccessful, the way was left open for conventional criminal trials, where the prosecuting authority decided that there were sufficient grounds for prosecution' (TRC Report Vol. 1 chapter 5 op. cit., 119). Following the outcries, in particular from Archbishop Tutu, on the presidential pardons granted in 2002, the amnesty question was posed again:

Both Maduna and Joel Netshitenzhe, the government communications chief, confirmed that discussions around the possibility of a general amnesty once the final TRC report was published next month, had been taking place' (The Sunday Independent 19 May 2002, front page).

While Dullah Omar was a key figure in overseeing the writing of the Act and then supporting the Commission taking off the ground, Maduna, his successor was more ambivalent toward the TRC and its legacy. In an article published in the week of the handing-over ceremony of the final volumes six and seven of the TRC report, the *Mail & Guardian* used a quote by Maduna as a headline: 'We have never said there will be amnesty' (Merten 2003, 4). The stance of the Minister of Justice and Constitutional Development as conveyed by his spokesperson, had shifted at that time: 'We will ensure at all times that any decision on "amnesty" will not undermine the integrity of the TRC' (ibid.). Nevertheless, he warned that South Africa could not afford to go the costly route of Nuremberg-type trials (ibid.).

rhretorical moment

As the last speaker in line after twenty-six speakers and nearly five hours of speeches made in the House, Maduna was in the unique position to conclude the day's proceedings. He gave a well argued peroration that was delivered in a captivating and lively manner. Maduna challenged his audience, reminded his peers of the legal basis of the process that would ensue and commented on speeches previously made. A peroration has to achieve two things: give a summary of the previous parts of the speech and if so intended, stir the emotions of the audience present (Ottmers 1996, 59). Thus, Maduna used this opportunity well knowing that the last address would most likely stand out and be remembered. He recapitulated and commented on a number of previous speeches and urged his

audience to recognise the significance of the TRC in overcoming the past and contribute to the President's Fund. Maduna's speech most likely forms a "joint argument" with that of the President, who spoke first. Hence, the analysis will explore parallels between the two.

type of speech

Not surprisingly, given his position in government, Maduna's speech is predominantly forensic. Maduna starts his speech by quoting the law. On which the 15 April 2003 Joint Sitting is based. Besides delineating the roles the President had fulfilled, he advises the Chairperson to remind Parliament of its function. He also uses forensic discourse when responding to Mncwango's speech, challenging the IFP and anybody else in the House to produce evidence to substantiate the claims they made, leading the way by supporting his counter-arguments with facts or evidence such as Buthelezi sitting in the House alive and well, holding a high office as a member of the Cabinet. In addition to forensic discourse, Maduna's speech also contains deliberative sections, notably when exemplifying the expediency of the TRC. When praising the values of the Freedom Charter that are now enshrined in the Constitution, he switches to epideictic rhetoric, aiming at alluding to and inspiring all members of the audience.

taxis

Maduna's peroration comprises of twenty-four paragraphs, ranging in length between four and twelve lines. His introduction is in line with the peroration he delivers, in that it sums up proceedings. The longest paragraphs respond to the claim that the TRC's commissioners were biased. The speech Maduna comments on first, the Honourable Mncwango's, is also the one he dedicates most time to – a total of fourteen paragraphs. The climax of his address at which he switches to epideictic discourse, are paragraphs seventeen and eighteen, reminding his audience of the context that gave birth to the TRC and lauds the commission's work which has provided the country with a legal and political framework that ensures that the past will never happen again. He points toward Afrikaners' reluctant acceptance of the new status quo and substantiates his claim with a reference to an Afrikaans proverb *Agterom kom ook in die kraal*.

He then turns again to a forensic approach to respond to the speech delivered by the UDM's Bantu Holomisa and to the contested issue of international litigation. He links the litigation in American

courts to South Africa and defends government policies that aim to avoid shooting the economy 'in the foot'¹⁶⁷

While arguing in support of the President's Fund, to which he urges all South Africans to contribute - 'do it' - he also seizes the opportunity to quip at the Leader of the official opposition, Tony Leon qualifying him as having been 'neither fish nor foul (sic)'¹⁶⁸.

The Minister of Justice ends his address in a swiftly, referring, as he did at the beginning, to the process ahead and the legal clauses this was based on. After this final and effective sweep, Maduna thanked the House both in Tswana and Zulu and gave proceedings over to the Speaker.

pisteis

Switching between all three types of discourse, Maduna also uses all three modes of persuasion. The most prevalent among them is pathos. Both his quotes made in Afrikaans as well as reference to Buthelezi would have emotional affect to the audience present. An even stronger appeal is the reference to Mandela's clan title Madiba used to convey respect as well as affection to the former President – and put Buthelezi's *imbongi* in its place. Maduna, argues for the common good and makes reference to the Freedom Charter and the values of freedom and equality enshrined in the Constitution. Maduna would furthermore enhance his ethos by having evidence available, citing the law and pertinent references.

topoi

Maduna's peroration, in line with Mbeki's nation-building rhetoric, is highly patriotic. In addition to frequently talking of 'our country', preferring 'local solutions to local problems'¹⁶⁹ and invoking the 'Republic of South Africa'¹⁷⁰, the proud new South Africa as a value in itself, he uses 'we' a great number of times, fifty-four altogether. The latter, a trope applied in the same manner as Mbeki did, inevitably affects *lexis*. Besides the *topos* of unity, Maduna also uses the *topos* of example and in particular facts when refuting arguments brought forward by Mncwango. Another *topos* is the maxim, the Afrikaans adage he uses at the end of paragraph nineteen. Aristotle states that

¹⁶⁷ Hansard op. cit., (Tape:117 Disk: 374 Take: V.9)

¹⁶⁸ Hansard op. cit., (Tape:117 Disk: 374 Take: V.10)

¹⁶⁹ Hansard op. cit., (Tape:117 Disk: 374 Take: V.8)

the use of maxim suits the older age, and in connection with things of which one has experience [...]. To speak generally of what is not general is most appropriate in complaint and exaggeration, and in these either when beginning or having made one's demonstration (Aristotle op. cit., 193).

At the beginning of his speech, Maduna comments on the fact that the IFP had missed the opportunity of doing the right thing at the right time: 'I do wish the hon member had adopted this posture when the moment was right' and effectively employing a consideration of timing listed under Aristotle's demonstrative topics. In order to expose inconsistencies hidden in the adversary's argument, 'one can resolve them either by reasoning against them or by bringing an objection' (Aristotle op. cit., 211). Maduna does use the *topos* of refutation at length in reaction to Mncwango and also Holomisa.

lexis

Since the Joint Sitting was close to coming to an end and his audience's attention had waned following five hours of speeches, Maduna sensing the mood delivered a compelling performance. The court room styled performance by Maduna, a breath of crisp rhetorical air after many eulogies and much time spent in the House, would also appeal to a broader South African audience used to and fond of many law and order type American TV series. This approach is also due to his reacting to previous statements, his address is "reactionary". Maduna's peroration comprised of ninety-seven sentences, of varying length. His lively style of delivery, aiming at causing effect reflects this. In order to heighten the effect of his message, he often resorted to short, poignant sentences such as 'do it'¹⁷¹ or 'we never did'¹⁷². His diction is at times also colloquial. He often uses 'whatever' or 'whoever', states that 'by the way the money won't come from trees'¹⁷³, refers to Bantu Holomisa as his 'old friend'¹⁷⁴ and in one instance exclaims 'for God's sake'¹⁷⁵. His use of other South African languages is kept to a minimum and is done in such a way that it would be understood, hence support his argumentation. This applies to his use of Afrikaans in paragraph nineteen and his saying thank you in both Tswana and Zulu at the end. A term that may, however not have been understood is the Latin *deus ex machina*¹⁷⁶ used in paragraph fifteen and fitting for the high drama style of the peroration. The Zulu title for Buthelezi he employed was, however not likely to be understood by members unfamiliar with Zulu decorum.

¹⁷⁰ Hansard op. cit., (Tape:117 Disk: 374 Take: V.4)

¹⁷¹ Hansard op. cit., (Tape:117 Disk: 374 Take: V.10)

¹⁷² Hansard op. cit., (Tape:117 Disk: 374 Take: V.4)

¹⁷³ Hansard op. cit., (Tape:117 Disk: 374 Take: V.8)

¹⁷⁴ Hansard op. cit., (Tape:117 Disk: 374 Take: V.8)

¹⁷⁵ Hansard op. cit., (Tape:117 Disk: 374 Take: V.7)

¹⁷⁶ Hansard op. cit., (Tape:117 Disk: 374 Take: V.6)

Throughout the speech, Maduna includes a variety of figures of speech, ranging from antithesis when arguing against foreign litigation in paragraph twenty *anastrophe* ('dot it'¹⁷⁷) for emphasis, *antistrophe* in the most emotional emotive paragraphs ('That will never happen. It can't happen'¹⁷⁸) and hyperbole. Maduna, responding to the IFP's Mncwango also does not skip the opportunity to make use of irony ('another interesting remark'¹⁷⁹) and mocks him 'the member also said something' which reduces that statement to a meaningless utterance. He adopts the same mocking approach toward the DA's Tony Leon as 'neither fish nor foul'¹⁸⁰ (sic) .

analysis

Then Minister of Justice and Constitutional Development, Penuell Maduna's task was to close the session and being a member of the ANC, deliver his party's peroration. This he did with gusto and lively gestures, so that he effectively delivered the most animated, at times colloquial speech, which generated the attention of the house and may well have woken those members who had dozed off.

Maduna commenced his speech by summarising the proceeds and lauding what he considered to have amounted to 'a very good debate', 'a wonderful discussion'. As these two different terms reveal, the nature of the Joint Sitting and the implication for deliberation did escape this last speaker. Besides such a general assessment, which he considered more expedient than repeating what others had stated, Maduna, Minister of Justice and Constitutional Development until the 2004 elections, reminded the members of both Houses of the legal basis of the Joint Sitting and the procedures the law stipulated to be followed. Besides having had 'a moment to reflect' and a 'debate' on the occasion of the tabling of the final volumes of the Report by the President, Maduna, speaking as last speaker, reminded his audience in the first two paragraphs of further steps to be followed. Now that the provision of 'section 44 of the Act' had been met, he fulfilled his ministerial role and advised the chairperson to remind 'Parliament what its specific function is in this regard'¹⁸¹. Once these procedural matters had been dealt with, Maduna announced what would become the focus of the rest of his speech: 'to comment on the observations that were made by some of the members'.

His attention first fell onto 'the hon member Mncwango's remarks'. Given that Mncwango's speech caused the most stir and responses that day, and uneasy party relations between the ANC and IFP, it was to be expected that Maduna would be taking up the opportunity to raise objections and provide

¹⁷⁷ Hansard op. cit., (Tape:117 Disk: 374 Take: V.10)

¹⁷⁸ Hansard op. cit., (Tape:117 Disk: 374 Take: V.7)

¹⁷⁹ Hansard op. cit., (Tape:117 Disk: 374 Take: V.4)

¹⁸⁰ Hansard op. cit., (Tape:117 Disk: 374 Take: V.10)

¹⁸¹ Hansard op. cit., (Tape:117 Disk: 374 Take: V.2)

alternative views where he felt it necessary. This was reflected by his choice of words: 'it's expected, I'm sure'. He replied to the following points: the need, in Mncwango's eyes 'close the book', the 'issues of amnesty' and 'ensuring that bygones do indeed become bygones'¹⁸². What followed from paragraph four to paragraph nineteen (save paragraphs seventeen to nineteen which addressed a broader audience) were systematically arranged counter-arguments to the IFP speaker's positions. In line with the Mncwango's reference to 'bygones', Maduna brought forth the argument of time and timing, and underlined that the IFP's stance was wrongly timed: 'I do wish that the hon member had adopted this posture when the moment was right, '. Acknowledging that mistakes had been made, which incited 'people to regard the TRC with disdain', he moved on to clarify a matter that had caused great controversy at the time, the ANC's attempt to submit a proposal for collective amnesty. The approach taken by the then Minister of Justice would amount to a *hypophora*, stating the objection made by Mncwango and providing the audience with its refutation. Maduna, who referred to the matter with barely veiled exacerbation and then in a dramatic move, turned the situation around and instead of adopting a defensive line, pursued to launch a challenge: 'I dare any member of this Parliament to stand up now and say what the President is guilty of.'¹⁸³ Although the incident he refers occurred at a time when Mbeki was Deputy-President, Maduna makes use of the status he had acquired in the meantime to belittle and ridicule Mncwango.

Maduna's challenging stand persisted during his speech. The obvious purpose was to clarify matters, but really served as a proof of a ruling party that has established itself and is well aware of the powerful position it holds.

Throughout the speech, Maduna used references to 'the leadership of the ANC', the President or the ANC but most frequent of all, he used the more personal 'we' a total of fifty-four times throughout the speech. In her book *A Change of Tongue*, Krog renders a discussion she had aiming at gaining an understanding of the role of the individual and the collective within the ANC:

'Ja, but you're omitting the most important point he also makes there: "The ANC is a collective, but government, by locking me up alone, had made collectivity in this case impossible" - or something to that effect.'

'Okay. So the collective holds a leader on the right path?'

'Yes. It holds a leader accountable. He has people he has to consult, structures he has to obey. If they disagree with him, he has to convince or argue with them. Dictators are always isolated and never accountable. They ignore their party structures and only take lackeys into their inner chambers. Also, collectivity always undermines the cult of the leader, prevents the sense of power from going to his head. A leader can only step down from his position of he really believes that the collective rules. On this continent, in this country, the collective nature of political leadership is essential and Madiba, through instinct and through reason, feels deeply that it should be respected. So if people ask questions about his personal triumphs and regrets, his role in making the impossible possible, he *will* get angry (Krog 2003, 258).'

¹⁸² Hansard op. cit., (Tape:117 Disk: 374 Take: V.2)

¹⁸³ Hansard op. cit., (Tape:117 Disk: 374 Take: V.4)

Although, as some critics of Mbeki's contend, the significance of the party collective and the relationship toward the support base of the ANC have been altered since Mbeki's election as President, Maduna by inferring unity and value of the collective would have struck a chord with members in and beyond the House. Maduna dedicated two paragraphs to rephrase the driving motivations behind the ANC's collective submission, 'which the TRC failed to understand'. This formulation served the ANC but it (deliberately) ignores that the Commission did perfectly well 'understand' the content of the ANC's application, but rejected it. In both instances individuals making full disclosures and taking responsibility for their acts would not have occurred – and not for merely 'whatever happened under the auspices of the ANC'. The admission that 'good and bad' did happen would not suffice and would not be of service for victims and their families hoping to get to know exactly 'whatever happened'. The term 'deliberate' Maduna uses to justify this approach is telling ('that was a deliberate position we took') as it operates on two levels. Firstly, it makes reference to the intention behind adopting this position, secondly, it refers to the mode of decision-making, namely by deliberation. Buntman dedicates one chapter in her book, *Robben Island and Prisoner Resistance to Apartheid* to 'Debates and Disagreements'. She points out that

'... notwithstanding many Islander's tactical embrace of violence to challenge apartheid, the prisoners used six strategies for conflict resolution (...) that are common to peaceful societies. The first, self-restraint, is consistent with practices on Robben Island that emphasised self-discipline and prevention of conflict. Second, prisoners commonly employed negotiation to deal with conflict. Third, separation or "walking away from the dispute" is a common feature of peaceful societies, and was frequently employed on Robben Island, including in a preemptive fashion. This latter usage was the reason prisoners would commonly avoid ideological debates across organisational divisions (Buntman 2003, 144).

This insightful quote supports the case that deliberation would most likely have taken place, in order to determine which position to adopt in dealing with the TRC. For the sake of expediency, maintaining internal cohesion of the ANC and avoiding division, it was agreed that it would not be 'useful' to abandon cadres who had committed offences or crimes. Although numerous accounts were known and had been reported about such instances, Maduna used a tentative 'may', as if these were still facts to be investigated and established for certain. Maduna, as if separating the chaff from the spray, distinguished between the ANC who stood by their cadres and other parties who let theirs down: 'They did do so. The ANC didn't do that', the auxiliary 'do' serving to emphasise both actions.

Resuming the strategy he had employed in paragraph five, Maduna once again challenges anyone contesting the ANC's past to take actions, make a deposition, follow the channels of the courts. Maduna's language reflects a fairly self-righteous position toward potential critics, exemplified by the use of a hyperbole brimmed with sarcasm '... any crime for which we need to be punished or pilloried' followed by a in contrast to the offence almost mocking advice: 'go to the nearest police station.' The mocking attitude was enhanced by his take on potential evidence that could be produced: 'whatever you

think is evidence at your disposal'. His final sentence served to underline the primacy of the rule of law, as well as foreshadow prospects even further: 'if it fails, accept that.' At that point, Maduna owned the stage and had the full attention of his audience, pursuing to prove his points in a rigorously sharp and mocking manner ('another very interesting remark here').

An example in case of how registers are being pillaged and used to disarm opponents, is the case of 'the President of the Republic of South Africa' and '*uMntwana wakwa Phindangene*', staged like a dramatic court case, dealing with the conspiracy of murder. The latter is the Zulu equivalent to the dauphin, the eldest son of the French king in the time of the aristocracy. Referring to Buthelezi with his traditional princely title, Maduna expresses his respect and complies with the Buthelezi's insistence on this traditional form of salutation. What Maduna however also does, is to effectively juxtapose two levels of institutional power and legitimacy, namely traditional and Parliamentary.¹⁸⁴ While outside the confines of Parliament, both the title and Buthelezi carry a certain authority and power, the traditional title within the National Assembly sounds out of place. Buthelezi who did not address the Joint Sitting directly, made use of an MP turned part *imbongi*, part spokesperson as the Zulu tradition requires it of him. What he effectively does is to beat Inkatha with their own weapons. Maduna like Mncwango, came to the defence of his superior but had the advantage of being in a position of strength, leading an offensive rather than a defensive discursive strategy. His victory also lays blatantly open that the power Buthelezi wields in Ulundi¹⁸⁵ lacks clout in Cape Town. He uses this respectful address as a means to avoid further tension between his party and the IFP. Aristotle provides an array of reasons to explain 'why men are easily moved to anger. [...] they are angry with: those belittling them in front of five groups: [...] those who respect them. If before one of these groups one should show them disregard, they are the more angry' (Aristotle op. cit., 146).

In order to further disclaim the challenge posed to the ANC by Mncwango, Maduna produced evidence in the form of a written document his party submitted to the TRC, from which he quoted ('I'm on page 13 of 41 pages, and I quote'). Immediately after the quote which ascertains that the 'ANC had no "military policy" with regards to Inkatha', Maduna intensified his attack against the IFP by challenging Mncwango to do as he just did, 'to produce evidence to the effect that the President said that we, in the leadership of the ANC, conspired to kill '*uMntwana wakwa Phindangene*'. Resorting to documented evidence served to enhance his ethos.

¹⁸⁴ Hlonipha Mokoena kindly enlightened me about the meaning and equivalence of the Zulu term and brought to my awareness the two contending political strata.

¹⁸⁵ Town in Northern KwaZulu-Natal, seat of the Zulu royal court.

Maduna clearly used to his advantage that Mncwango would not be able to respond. In order to pre-emptively weaken any charges mounted by the member sitting in from the IFP, he admitted to the existence of such a plan, but was quick to dispel any implication of the ANC leadership. How tough the defence lines would indeed be for any accusation to stand was made obvious in the overwhelming use of 'we', which served to demonstrate the ANC's standing strong and united. Against this cohesive and large organisation stands one single unit of the former armed wing of the ANC, *uMkhonto we Sizwe* 'that indeed was debating and thinking of this'. In order to cause effect, Maduna repeated twice that 'as leadership' the ANC 'made the necessary interventions' in order to avoid such an attack on Buthelezi.

Maduna, took to pursuing a defence line that aimed at clearing the ANC and ultimately 'the President' of any reasonable doubt: 'now it was not the leadership'. His final trump card would be a shift from referring to the highest office holder in government, 'the President' to invoking his traditional title name, 'Madiba' by means of an apposition (Corbett op. cit., 433). Furthermore, the appositive 'does interrupt the flow of the sentence, interrupts the flow to supply some gratuitous information or explanation' (ibid). In using the out-of-the-ordinary 'Madiba' Maduna aligns his register of traditional leadership to the princely address used for Buthelezi. Madiba evidently also elicit emotions appeal based on mighty *Madiba* magic that would out-trump *uMntwana wakwa Phindangene*. Maduna also added that 'nothing was done to harm him'¹⁸⁶ – a statement which could be disproved with difficulty, especially in light of the fact that Buthelezi was sitting in Parliament that day. The way in which Buthelezi found himself repositioned within the new ANC-dominated democratic order of South Africa is further exemplified in the ensuing chapter. Maduna pursued to refer to him indirectly, and while he previously had employed his princely Zulu title, he now merely used the personal pronoun, demonstrating how within the democratic order, and especially within the confines of the Parliament all members were part of a different reign and hierarchy. Haigh significantly qualified MPs as princes and noted:

For the last ten minutes, you must have noticed the "great princes" of this mid-century have been brushing by us on these steps. (...) Princes? Why, these men might be streaming off a suburban train-just mere slaves of the 8.15, just the warrior ants of this metallic and atomic age. Just as a single soldier of a victorious army does not look great on his own, so South Africa's "Parliament men" are not princely personally. Their blood mostly is as common as mine and I would confidently compete with most of them in a quiz test. It is Parliament that is a princely possession of democracy (Haigh 1951, 2).

For most "princes and princesses" admission to Parliament signifies the equivalent of a promotion, as well as an increase in privileges but for Buthelezi the case was different. After having provided evidence for the fact that Buthelezi had not been affected by any plots or conspiracies that may have been devised against him in the past – his presence 'in our Government today', in fact in Parliament that day, could not be denied – Maduna made it blatantly evident, that the ANC had the choice to include Buthelezi in government. Maduna's use of 'our' was furthermore telling, as was his need to justify this

decision ('we value the contribution he makes'). As if he had been cross-examining a witness, Maduna for the fourth time beaming from the lectern, threw a challenge to Mncwango or any other member of the House. In order to prevent any further attacks related to the matter, he provided the clue as to where to find evidence and in order to silence the last critic, suggested that 'we shall retrieve it for the benefit of this House.'

Maduna explained that in the case of South Africa a different approach from those other truth commissions was taken, in order to refute Mncwango's argument that had accused the TRC commissioners of bias. In addition to stating that '... no commissioner was self-appointed' he cited the Promotion of National Unity and Reconciliation Act of 1995, which had set the guidelines for the nomination of commissioners. Citing the law, Maduna pointed toward the role of the President but underlined that he had 'to act "in consultation" with Cabinet, not "after consultation", but "in consultation"'. Procedures stipulated by the act cited by Maduna were complied with, as the minister assured his audience but interjections made suggested that disagreement amongst the members was still rife and the topic breached still contentious. The last ANC speaker to address the joint sitting that day was, however quick in reacting to his audience and countered that given the levels of politicisation and radicalisation prevalent in South Africa, in particular at the time these decisions were being taken, the question presents itself as to 'where else we could have found these people'. Maduna most certainly spoke freely at this stage, as segments such as 'what I was going to say' reveal and the register he drew from was at times colloquial, as well as polemical: 'we were not looking for a *deus ex machina* that would descend from on high to solve our problems'. By agreeing with the fact that 'Tutu might have had anything to do with the United Democratic Front' he concedes a point to Mncwango but was quick in pointing at the case of Alex Boraine, the second highest ranking commissioner serving the TRC who had in the past been an MP for the DA's forerunner, the Progressive Party in the 1970s.

The style Maduna adopted toward the end of this paragraph, and the next, is narrative, with quotes that not only render the words of the President (Mandela at the time) but a personal and subjective account ('real hostility towards my ANC', 'we all said that that was right and to go ahead and appoint them'). At that point Maduna concluded his personal account and summed up the TRC process, which he qualified in positive terms, lauding it as a success, a job well done and bringing to the attention of his audience that if it were not the case, other countries would not be drawing inspiration from and taking lessons from this case. Referring to the case of Sri Lanka which had despatched a delegation to South Africa at the time the Joint Sitting was convened, he also seemed impatient bring about a change of attitude, possibly even instil a sense of pride in the work done by the TRC: 'For God's sake they would

¹⁸⁶ Hansard op. cit., (Tape:117 Disk: 374 Take: V.4)

not be coming here if we had made a mistake by setting up the TRC and appointing whoever we did appoint through the President. It was not a mistake.'

Paragraphs seventeen to nineteen stand out as they invoke and celebrate the commonly experienced process of over-coming the past, establishing common ground and values, reflected in a tone that was more conciliatory, as Maduna spoke of 'us as a country', a 'cathartic experience'. His style was more inflected by religious oratory, as he embraced ethical perspectives and frequent repetitions such as the anaphora ('though') in paragraph seventeen and in paragraph eighteen ('there never shall', 'there never will'). Throughout these paragraphs resonated the echoes of the Freedom Charter, as many of its goals are touched on: 'as a country we are able to say that the past will never be visited upon anybody and upon any community in this country' is borrowed from the pledge set at the end of the Freedom Charter 'Let all who love their people and their country now say, as we say here...' Once he moved away from an evaluation closely aligned to the aims of the TRC ('the whole truth', 'reconciliation') his attention shifted toward issues such as poverty and education, focal points of the Freedom Charter and besides land and housing, the most politicised matters in South Africa. The twice repeated assessment '... though we may be some distance away...' hinted at the trajectory that had already been covered and in light of which he could state that South Africa has come a long way since 1955. Paragraph eighteen was an invocation of the Freedom Charter and the Groups Areas Act undone, a powerful and honest rendition of what patches the tapestry of the past is made of. Maduna interwove this fabric with a figure of speech, *anastrophes*, which he repeated four times. 'There never shall be education specifically for a certain group', rendered one of the demands of the Freedom Charter 'the doors of learning and of culture shall be opened', which also predominantly employed 'shall' throughout the document, the non-racial nature of the historical founding document is mirrored as Maduna shifts from neutral terms to describe entities such as 'anybody', 'any community' only when deconstructing the past: 'a certain group', 'a group' and 'group areas' form a unit, as do 'certain group' and 'certain races'. Again, 'group areas' was juxtaposed to 'any parts', combining the *topoi* of past fact and future fact: 'there never will be any parts of the God-given Indian and Atlantic Oceans reserved for certain races', as well as of comparison, restricted areas of apartheid days are compared to wide, accessible spaces, openness, just like the open 'doors of learning'. Not only did he touch on an aspect of the Groups Areas Act that was particularly resented and cruel, by alluding to the separation of beaches, which left non-whites only with dirty and dangerous stretches from where to access the oceans, the term 'God-given' was a clear indication that certain things cannot be viewed by attaching a price or value on them, are not commodities for which title deeds can be issued. Given furthermore resounds of a gift, a value entrusted, that can be safe-kept but neither auctioned nor partitioned. This higher order Maduna invoked resembled the arguments brought forward by Chief Seattle challenging President Washington as to how one could ascertain the value and ownership of natural possessions and by arguing on that

realm, condemned apartheid policies as morally wrong. *Antistrophes* as well as *anaphoras*, the figures of speech which prevail these two highly emotional paragraphs, gave these an almost sermonic ring, further achieved by a number of similar sounds ('say', 'may', 'away') and the use of *anaphoras* and *antistrophes* effectively carried the message of this paragraph: 'as a country' (*antistrophe*) modified at the end to 'in this country'; 'we are able to say' (*antistrophe*); 'though we may be some distance away' (anaphora) contain the message that what 'we, the People of South Africa, declare for all our country and the world to know' is indeed close, merely 'some distance away'. In the same manner in which Maduna links knowledge and truth ('though we don't know the whole truth') he also creates a bond between the individual and the community ('the past will never be visited upon anybody and upon any community'), capturing the spirit of the constitution, as well as the value of the communal within African philosophy as Shutte notes:

... the sharp distinction between self and world, a self that controls and changes the world is in some sense "above" it, this distinction so characteristic of European philosophy, disappears. Self and world are united and intermingle in a web of reciprocal relations. (...) "I think therefore I am" is replaced by "I participate, therefore I am." (Shutte 1993, 47)

By the end of the eighteenth paragraph various expressions related to the *topos* of unity are brought together: 'the people of the Republic of South Africa in their entirety', 'once and for all', 'all of them'.

The remaining five paragraphs were less ceremonial and dramatic, instead more deliberative and addressed further comments made by previous speakers and served to round up the event. Maduna first recounted to the audience a meeting he had 'last week' with Afrikaners, generally but not always justifiably so, still reputed to be *verkerampt*, objecting to the new democratic order and plotting its downfall, as in the movie 'Promised Land'. Maduna, although making reference to wide-spread reluctance ('those who had to be grabbed', 'kicking and screaming', 'drag this country') also acknowledged that attitudes had changed, were in fact still changing, as he based his statement on conversations he had had 'last week'. Maduna refrained from qualifying this change, giving an indication as to whether it was based on the famous Afrikaner pragmatism or true change of hearts, but his use of an 'Afrikaner adage' in Afrikaans (*Agterom kom ook in die kraal*) not only would assure him respect from the Afrikaans audience, it signified also agreement and common ground, as well as slightly changed tongues. In light of the fact that '*die taal*'⁸⁷ is central to Afrikaners' cultural identity, Maduna's quoting in Afrikaans would be welcomed. Sharing languages, even if only for the length of an adage, not only reflects a certain insight into the 'other' but the acceptance thereof. In this way, this paragraph was also a response to the NNP speaker and his use of quotes in "another tongue", namely Mandela's and his successor.

The third speech Maduna felt compelled to respond to was the UDM's Bantu Holomisa, the tenth speaker at the joint sitting. It served him as a platform to comment on the litigation cases that various victim groups had lodged in America. Albeit stating that he would not want to delve on a matter which others before him had breached, he did effectively dedicate three paragraphs on it. His response to these undertakings were an argument along the lines "local solutions to local problems", a patriotic call, which resonates through 'the Republic of South Africa' and would find numerous supporters in a country which in the past few years has seen multiple efforts to promote local goods and alongside corporate identity, also a "new South Africa" national identity – the 'proudly South African' campaign is a prime example. Maduna used an antithesis to argue against foreign litigation cases: 'if we could find political, and subsequently, social and economic problems to what seemed intractable problems of the Republic of South Africa, it shall not take a court in America in excess of 10 000 kilometres from here to find a solution to the disabilities of blacks'.

In paragraph twenty, Maduna provided insight into the possible implications of judgements passed in the US, namely job losses and loss of direct investments, effectively arguing along the same lines as the DA however in a more colloquial style: 'by the way, the money won't come from trees'. In repeatedly using 'pay' he furthermore literally ruled out any gains from these litigation cases but stressed the likelihood of incurring costs that would 'affect the people of South Africa directly'.

Picking up on the advice he had given his 'old friend' Holomisa, 'think carefully about what you are talking about', he pointed toward the government's competence in dealing with the matter: 'we, this government, we think'. Maduna interestingly does not provide concrete steps or policies the government is considering but builds his argument on legitimacy ('we, this government') as well as trust ('we want to believe that the masses of our people accept the way we are dealing with it'). While appeasing his audience that the government did not aim at causing any 'socioeconomic interruption', being the Minister of Justice and not of Trade and Industry, he resorted to the colloquial style his audience had become used to and terms such as 'whatsoever' and 'whatever', in order to avoid concrete examples. As a means to drive his point home, the speaker eventually by means of an analogy to a generalisation: 'no leader worthy of his or her salt would do anything that is tantamount to shooting himself or herself in the foot and hoping he or she can run after that'. In simple terms, Maduna tried to convey that government aimed at expediency and knew the rules of (political) self-preservation to be followed. Interestingly, he goes back to using 'shall' twice at the end of his second last paragraph: 'we shall not do that. We shall do it our way'. 'Our way' then refers to the Freedom Charter's provision 'The People Shall Share In The Country's Wealth!' (Weinberg 1981, 122). This paragraph would also pave

¹⁸⁷ The Taal Monument situated above Paarl in the Cape Winelands, ca. 40km from Cape Town is indeed the only language monument in the world.

the way for his conclusion, closely aligned to the first speech that had been made nearly five hours before. In support of President Mbeki's announcement, Maduna renewed the call made by Mbeki to contribute to this initiative, 'whatever' one's classification, in relation to the past, 'beneficiaries of apartheid or victims'. While the use of whatever alludes to the grey zones, the difficulties in classifying a whole society in relation to their conduct during apartheid (some benefited involuntarily, others collaborated), the use of 'whatever' has also a dismissive side to it. Not surprisingly, it is at this point that Maduna made a quip at the DA's Tony Leon: 'Maybe like Tony Leon you might have been neither fish or foul [sic], etc.' which was promptly met with interjections. In his call that urged all South Africans to make contributions toward the President's Fund, Maduna's discourse became aligned with and heavily inflected Mbeki's even in terms of style: 'neatly traceable to our past, our colonial past and its apartheid offshoot'. Just before that, he used a more branded *anastrophe*, omnipresent in popular culture and blending sportsmanship with citizenship: 'do it', doing the right thing, closely situated to Nike's tick and simple invitation to 'just do it'. Maduna brought his speech to conclusion by advising his colleagues to report back to constituencies and 'to tell them about the message of the President'. It is at this point that Maduna discloses his discipline: relay. Having lent his support to Mbeki within Parliament that day, he also would be the link between the different spheres of governance. His thanks addressed to the two houses that had been convened that day and had sat together for five hours were uttered in Tswana and Zulu, in line with a prevailing trend in Parliament as well as media (who started it?) to borrow words, expressions and concepts from African languages and re-use them in various ways with success rates, possible side effects and reactions similar to those of heart transplants.

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TAKE: G.1

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3.1. HONOURABLE MANGAQA A. MNCWANGO'S SPEECH (IFP)

Mr M A MNCWANGO: Madam Speaker, His Excellency the President of the Republic of South Africa, Chairperson of the National Council of Provinces, Ministers and hon members, at the outset, I must express the IFP's concern about the fact that the National Director of Public Prosecutions has already directed that prosecutions should begin regarding those alleged to have committed political crimes associated with the conflicts of the past but who did not apply for amnesty within the TRC process. If we are serious about closing the book of the past conflict, we need to let bygones be bygones, otherwise our future will continue to ^{be} bedevilled by our past. [Interjections.] A decision must be made to either not prosecute or promote an amnesty which will be administered by the judiciary.

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- 2 As this Parliament considers the report of the Truth and Reconciliation Commission, we ought to debate it without approving it. It is tragic for democracy when any parliament or government adopts a document which purpo^{ts}ts to describe our past. Any government-endorsed version of history is an attack on the truth and ~~is~~ an act of autocracy. We must merely note the report of the TRC and give it no status or special recognition. Its status and value will be determined by history as future historians tear its shortcomings apart and rewrite a more balanced and analytical account of our recent history.

- 3 Our Parliament should not become the object of the same criticisms which our posterity will undoubtedly level against this report and therefore ~~we should not~~ contaminate ourselves by lending it the credibility of our approval. In fact, the TRC Report is a flawed product of a flawed process conducted with flawed motives. [Interjections.] In the law which was adopted by this Parliament, the only statutory purpose of the TRC was that of promoting national reconciliation. To achieve that end and fulfil its sole purpose, the TRC was mandated to do three things: firstly, to undertake a truth-finding exercise; secondly, ^{to} administer amnesty and, thirdly, ^{to} provide reparations.

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The TRC has abysmally failed to achieve its goal of promoting reconciliation. In fact, as this very debate incontrovertibly proves, its final report is a major setback on the path of reconciliation.

- 4 The IFP is fully committed to continuing to promote reconciliation at all costs and at all levels. For this reason, we must call upon all people of goodwill to be united in rejecting the TRC Report which has little to do with either truth or justice. [Interjections.] The TRC was foreshadowed in the interim Constitution which was finalised at the World Trade Centre and was the product of a bilateral political accommodation reached between the then ruling NP and the ANC alliance. Both political forces had a vested interest in reducing the conflicts of the past into a bilateral paradigm which obliterated the role played, in our struggle for liberation, by the IFP and its leader, Prince Mangosuthu Buthelezi. [Interjections.]
- 5 The TRC was conceived, staffed and provisioned within the cultural paradigm of a bilateral conflict and the promoters of the armed struggle portrayed as the sole and authentic

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expression of the will of the oppressed majority on the one hand, and on the other hand the oppressor. There is no recognition that the liberation of all South Africans would not have come about without the relentless political on-the-ground work of Inkatha and the efforts made by its leader, Prince Mangosuthu Buthelezi, to secure the release of all political prisoners and the unbanning of political parties.

[Interjections.]

- 6 The many lies which were employed in the 80s and the early 90s to vilify Inkatha and its leader have yet to be expunged from the record of history, and they are at the basis of the TRC mindset in many of its findings. Accordingly, the TRC report may be valuable in increasing the understanding on the dynamics of black-on-white and white-on-black conflicts. However, it shows how clueless the TRC was in understanding and dealing with the dynamics, causes and episodes of the black-on-black conflict. The TRC was never staffed and equipped to adequately investigate the black-on-black conflict and expose the culpability of those who generated it. The best example of many of its shortcomings lies in the cavalier attitude with which it dealt with one of South Africa's greatest tragedies which was the targeted killing

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of about 400 IFP leaders and office-bearers in a systematic plan of mass assassinations in their houses, public places and in their workplaces.

7 *IsiZulu:*

Ngifuna ukuthatha leli thuba ngikhumbule ngokuhlonipha ubaba uMnu Sabela owabulawa eMlazi; futhi ngikhumbule ngokuhlonipha uBaba uSibiya owayeyinduna eWema, e-S J Smith Hostel, owabulawa kabi kanjalo. Ngithi angihloniphe kakhulu uMnu Moses Khumalo owayengusihlalo weziko leNkatha eMeadowlands; ngikhumbule uNksz Maki Sikhosana owaba ngowokuqala ukubulawa nge-necklacing; ngikhumbule nekansela uDlamini waseVaal owabulawa ngayo le ndlela.

English:

8 The TRC findings about Inkatha and its leader, Prince Mangosuthu Buthelezi, remain outlandish and preposterous. To mention but a single example, the TRC failed to appreciate the fundamental element of law and fact that, as the former Minister of Police of the erstwhile KwaZulu Government, Prince Mangosuthu Buthelezi had no operational control whatsoever over the KwaZulu Police which was effectively directed by a commissioner appointed by

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Pretoria in a system analogous to the present status of police forces in our provinces. [Interjections.] Therefore, holding him accountable in that representative capacity for action taken outside any chain of command by people loosely affiliated with the KwaZulu Police, as the TRC has done, is nothing short of outright bad faith.

- 9 The TRC was charged with the task of reconstructing the truth but it was not held to the standard of truth itself, nor was it equipped with any tool by means of which, through time immemorial, the truth is ascertained. Actually, in respect of the TRC, this Parliament has suspended the law of defamation which applies to all of us and all organs of state. The TRC enabling statute has allowed the TRC to make false findings which could not be challenged in court on the basis of their being untrue. It could do so for as long as someone gave false information to the TRC. There was no mechanism to expunge out of the TRC Report such false information and ensure that the TRC findings were based only on information which had passed the scrutiny of a true-or-false test.
- 10 In fact, the TRC collected its information by means of statements of self-confessed murderers who were motivated to

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make such statements by their desperate need to receive amnesty for their crimes. They gave their evidence in a context in which no effective mechanism existed to verify the truthfulness of their statements such as cross examination, rebuttal of evidence or independent verification of facts and circumstances.

Moreover, amnesty applicants were induced to embroider^{upon} their stories because, under the law governing the TRC, their confessions of all^{true} facts relevant to their applications and descriptions of their crimes were not sufficient.

- || They were required to do much more without a clear indication of what that much more was. Many applications were declined because such much more was not volunteered. They were required to make a full disclosure in respect of anything else which might have been relevant to the TRC's task to reconstruct the conflicts of the past. Effectively, they knew that they had to please the TRC. Even that was not enough for people to receive amnesty. They also had to prove a connection between their heinous crimes and the political leadership of a party or organisation. They had to prove that what they did was part and parcel of an authorised political course of action.

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- 12 It was extremely difficult for IFP applicants and many other applicants to meet those requirements in the light of the fact that the stated policy of the IFP and the millions of written and recorded pronouncements made by its leader, Prince Mangosuthu Buthelezi, always rejected violence and only allowed for the exercise of the common law right of self-defence. [Interjections.] Therefore, amnesty applicants outrightly invented that their crimes were order^d_k by the IFP leadership or that, in their own minds, they thought that they might have pleased the IFP leadership. However, even in this context, not one single witness could state that at any level of the IFP's governing structures any gross human rights violation was ever authorised. None of such dubious witnesses could ever state that at any juncture of history the Inkatha leader, Prince Mangosuthu Buthelezi, ever authorised or ordered any gross human rights violations. [Interjections.] He is the only leader involved in the conflict of the past who never ordered or authorised violence. [Interjections.]
- 13 It is significant [.] [Interjections.] Members should listen to this: it is significant that the top ANC leadership applied for blanket amnesty which covered 27 of its highest ranking

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leaders who, by virtue of such application, admitted under oath that they were guilty of gross violations of human rights.

[Interjections.] It is also significant that the President of the Republic of South Africa admitted before the TRC that the ANC leadership had been involved in plotting the assassination of Prince Mangosuthu Buthelezi. [Interjections.] This is in the very same report.

The SPEAKER: Order! *Hon member would you please take your seat.*

Mrs S A SEATON: Madam Speaker, will you please ask the House to listen to our speaker. [Interjections.]

The SPEAKER: Order! [Interjections.] Order! Hon members, I have repeatedly called for order. You will not serve the debate by drowning out speakers. *Please proceed.*

14 Mr M A MNCWANGO: Madam Speaker, I want to repeat this because members did not quite get it. [Interjections.] It is also significant that His Excellency the President of the Republic of South Africa admitted before the TRC that the ANC leadership had been involved in plotting the assassination of the hon Prince

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Mangosuthu Buthelezi. [Interjections.] I ~~do not~~^{am not} even mention^{ing} the gross human rights violations which were committed by apartheid and the NP because, in that respect, the report is sufficiently revealing. Yet, the political party which became the victim of both the violence of the armed struggle and the violence of apartheid is portrayed in this report as the major promoter of violence. And, its leader is held politically accountable for the violence directed against its followers. That defies any logic.

- 15 The TRC's bias is exposed in its pathetic scramble for any pretext to hold Prince Mangosuthu Buthelezi accountable for the violence and real onslaught which was directed at Inkatha. The TRC found one single public speech of Prince Mangosuthu Buthelezi out of millions of documents of written private and public addresses in which he constantly upheld nonviolence. In that single 20-page document, the TRC found a single sentence which it twisted and turned around to indicate that Prince Mangosuthu Buthelezi supported violence when he had, indeed, merely indicated that the IFP had to oppose, at the political level, the ANC violence with all possible means. In the TRC's pathetic mind, this was the smoking gun on which its entire preposterous reconstruction of history seemed to hinge.

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16 As the IFP predicted, the entire TRC process was such that the combination of these various elements proved to be ideal to prompt people to lie and prepared the TRC to become a receptacle of discredited cliches of political propaganda and old lies used to vilify Inkatha and its leader. Like in many other inquisitions of which history bears memory, the supplicants ended up telling the inquisitors what they thought the inquisitors wanted to hear and regurgitated old lies and propaganda^{-d-}. Those who were confronted by the Spanish Inquisition confirmed doubtful sexual intercourse with the devil himself. Those who gave evidence to the TRC did not wish to antagonise the new ruling party and teamed up in the Buthelezi-and-Inkatha bashing exercise which the TRC was more than culturally and politically prepared to accept without any criticism.

17 The proof of that assertion is also found in the TRC's reckless breach of section 30 of its governing statute which required it to give notice of its contemplated findings to those adversely affected by them, and to give some consideration to any objection or evidence that it received from them. This was the only means and available mechanism to correct errors and ensure

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some balance and impartiality in the report. But, in the case of the IFP and its leader, in respect of most of its findings the TRC failed to give such notice and when it gave it, it maintained its findings completely unaltered in spite of well-documented evidence produced to rebut that.

18 The TRC chose not to listen and did not want facts to get in the way of its propaganda. In truth, not one single fact alleged by the TRC detracts from the fundamental statement that at no time did Prince Mangosuthu Buthelezi ever authorise, order, condone or ratify any gross human rights violations. Similarly, nothing can detract from the fundamental historical truth that the IFP was the victim of the armed struggle waged against it by the combined forces of the ANC^{mk} and the UDF^h because of our stand in favour of passive resistance and nonviolence, and our rejection of military action.

19 Once the history of South Africa is properly written in a more objective manner it will emerge that, had Prince Mangosuthu Buthelezi and Inkatha embraced the armed struggle, the whole of South Africa would have been reduced to ashes^{ea} living^h no spoils of war for the liberation day. [Interjections.] When history is

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properly rewritten, it will also emerge that Prince Mangosuthu Buthelezi has been the great unsung hero of our liberation struggle. [Interjections.] He always advocated the path of a negotiated solution which, in the end, triumphed. He was offered the opportunity of drafting a democratic constitution on a bilateral basis with the NP which would have provided democracy and universal suffrage before political prisoners were released and the prohibited parties unbanned. He refused to negotiate until all political parties were unbanned.

20 Whilst others were abroad, he mobilised our oppressed people by their millions and created bridges across the divide of apartheid. He created the basis on which the new South Africa was shaped. He really does not deserve the humiliation of the TRC's slanderous publications. Since the beginning - members should listen to this - the IFP and its leader opposed the appointment of Archbishop Desmond Tutu as the Chairperson of TRC because of his inherent bias. Why? He was the official patron of the UDF - one of the major participants in the conflicts of the past on which the TRC had to shed light. [Interjections.] From the very beginning the TRC was biased on its intended purposes.

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21 For this reason, for me, the Truth and Reconciliation Commission remains a sensationalist circus of horrors presided over by some people who craved the centre-stage spotlight. I thank you.

The MINISTER OF TRADE AND INDUSTRY ■.■.■.

/SW

chapter three The Rhetorical Modes of the Opposition and Minority Party Speakers

This chapter analyses speeches delivered by members of the official opposition and minority parties.

4.2. IFP Speech Analysis – the *imbongi* in the House

introduction

Of the three speakers representing the Inkatha Freedom Party, the most outstanding piece of deliberation was brought forward by the Hon Mangaqa Albert Mncwango. The fifth speaker in line that day, reiterated, at times almost verbatim, a press statement given by then Premier of KwaZulu Natal, Mr Mtshali, in late January 2003. Both this press statement and Mncwango's speech displayed the wide rifts that have marked the ANC and IFP antagonism. Indicative of the personification between the party and its leader, the Premier opened his statement by conceding that : 'Prince Mangosuthu Buthelezi and the Inkatha Freedom Party have been vindicated.' He then pursued that

Today, after four years of extensive litigation, the TRC has finally conceded to change some of its findings in respect of Prince Mangosuthu Buthelezi and the Inkatha Freedom Party. Prince Mangosuthu Buthelezi and the IFP have constantly maintained that the findings made by the TRC were factually erroneous and devoid of any corroboration and supporting evidence.¹⁸⁸

In a similar vein, Reverend Zondi stated that 'the KZN ANC has always chosen propaganda and populism over the diligent search for truth.'¹⁸⁹

While the ANC was the largest political organisation working toward abolishing apartheid and liberating the majority of South Africans, the other political movements that had ascribed themselves to the same aim, differed with regard to their ideologies as well as policies. Besides the Pan-Africanist Congress (PAC), the United Democratic Front (UDF) and IFP were also working toward this end. The latter, founded in 1975, revived the Inkatha movement established in the 1920s, which had at its time mainly been a cultural movement. Although membership was open to all, the majority of the 1.5 million members it had gathered by 1987 were Zulu and predominantly resided in rural Natal. In its approach, the IFP differed from the ANC on a number of levels. Most importantly, its party leader, Prince Mangosuthu Buthelezi sought to achieve his political goals by working within the apartheid structures,

¹⁸⁸ Press Statement by Dr LPHM Mtshali, MPP, Premier of Kwazulu Natal and National Chairman of the Inkatha Freedom Party, Durban: January 29, 2003. Downloaded from the IFP website. www.ifp.org.za

notably the Homeland policy (Fisch 1990, 321). As much as Inkatha was aligned to the Nationalist government and co-operated with it, it was not part of the so-called 'talks about talks' in the 1980s, bringing together members of the ANC in exile and the apartheid government to discuss South Africa's future. After the unbanning of the ANC and the release of Nelson Mandela in 1990, talks about a democratic South Africa were convened. By the time the first democratic elections were held the IFP upheld its refusal to take part in these up to the last minute. A year later, when the Act was to be voted 'the Inkatha Freedom Party abstain from voting' (Krog 2002, 10).

Albeit attempts made to improve the relationship between the ANC and IFP – amongst them Buthelezi's nomination as Minister of Home Affairs in 1994, position he upheld until the third national elections in 2004 – tensions are still running high between the two parties. Indeed, party-members and also sympathisers of both organisations used to wage war against each other in the 1980s:

In stories about KwaZulu-Natal, the name of another gang often comes up - the Amabutho. They also have special attire that singled them out - balaclavas and colourful overalls. Their weapons were knobkerries, spears and axes, and they worked with Inkatha and the SADF. Their rituals were steeped in tradition. Before going after their victims, they drank and splashed on war potions to make themselves invincible. They also didn't speak of 'killing', but used euphemistic phrases like 'to remove obstacles' and 'to purify the fields' (Krog 2002, 46).

Exploring the roots of the ethnic violence between Xhosas and Zulus, Shula Marks, however, finds that 'in South Africa at least, ethnic explanations by themselves have only limited value' (Marks 1992, 122). Rapid transformation, in the way in which it has taken place at most levels of society in South Africa, tends to generate instability, 'massive social dislocation, upheaval, violence and heightened political conflict' (op. cit. p. 141). In such a context, it has become politically opportune

to blur the explosive consequences of this class formation and potential class conflict [...] in the time honoured way of calling for a cross-class Zulu identification - and blaming the increased impoverishment of the Zulu not on apartheid, or the accumulating ventures of the home-grown new middle class - but on the youth, the ANC and the unions, [...] (Marks 1992: 141).

It will be important to explore whether and how references to Zulu identity, culture and history were used to construct the speaker's argument and how given this legacy of antagonism references to the past, nation-building, the TRC and reconciliation would be phrased, where silences would prevail, alternative discourses defended.

rheterical moment

Given that the outcome of the TRC report was delayed due to legal action taken by the IFP, the speech Albert Mncwango was going to hold, was likely to be defensive. Furthermore, the speech was

¹⁸⁹ Press Statement by the Inkatha Freedom Party. IFP Dismisses KZN ANC TRC/IFP Statement as Jumble of

expected to replicate the defiant stances and victorious attitude other of his party members had adopted prior to the Joint Sitting. An indication as to the kind of topics raised and the tone of address which would envelop Mncwango's address can be found in party leader Mangosuthu Buthelezi's Press Statement given on 22 August 2002, which commences by stating the following:

One cannot but be flabbergasted, dumbfounded and astonished by the statement made by TRC Chairperson, Archbishop Desmond Tutu, today, who indicated that "We are quite despondent that surprisingly the IFP should take four years to take umbrage with our report."

The facts of the matter, which are well-known to any sober person are as follows [...] (Buthelezi 2002, 1).

In this opening section, it becomes apparent how strained the relationship between the IFP and TRC is and how the IFP seemed to vociferously reject the TRC and in particular the commission's chairperson, Archbishop Tutu. In his closing remarks, Buthelezi reveals his feelings toward the TRC and his vision that could at best be described as a grander historical mission:

My only desire is that of restoring the truth. [...] The TRC process might have had value in shedding light on the dynamics of the black-on-white conflicts, but its shortcomings in understanding the tragedies of the struggle within the struggle must be exposed to ensure that the dignity of all those concerned may be protected for their sake and that of our future generations (Buthelezi 2002, 2).

The statements made by IFP leaders in January 2003, following the legal settlement, serve to highlight the kind of fierce verbal attacks the IFP launched against both the TRC and the ANC. In many instances, the IFP equated the one with the other. In addition to that, the register used and tone of address that had established itself as the *modus operandi* prior to the joint sitting was challenging the commission and the ANC, rarely falling short on being openly aggressive. Although in legal terms the matter had been laid to rest, a revisionist approach and a defiant stance could be expected by the first of three IFP speakers who were to address the joint sitting. Given the suggestion made by Buthelezi that what was called for was a rewriting of history, revisiting the past was most likely going to feature prominently in Mncwango's address to the National Assembly.

type of speech

The first IFP speaker to address the joint sitting primarily uses forensic discourse in which however, also feature deliberative and epideictic means of argumentation. Forensic rhetoric latter is concerned with the past and by means of accusation and defence, addresses issues around justice and injustice (Corbett 1990, 28). Given the fact that the IFP and TRC reached an out-of court settlement in January

Contradictions and Half-Baked Truths. Durban: January 30, 2003. IFP website.

2003, 'the TRC has agreed to amend a number of sections, which blamed the mainly-Zulu Inkatha Freedom Party for human rights abuses'. It is therefore to be expected that the speaker will reiterate the IFP's position, which not only contested the publication of the final volumes of the TRC report, but furthermore went on to reject the commission and its mandate. Shortcomings of the commission are highlighted through a number of examples, which are produced like evidence in a court room scenario. Albert Mncwango adopts two roles in his position as speaker: he is defence attorney, and turns his audience into judges, and he also by praising his party's leader, takes on a role of an *imbongi*. His audience is to judge on the case he puts forward by means of a judicial discourse; epideictic discourse has however a different effect. Indeed the aim of epideictic rhetoric is to please and inspire an audience. The speech, concerned with the present, addresses and conveys honour and dishonour by means of praise or blame. Perelman states that epideictic discourse serves to rally an audience around certain shared values, and to amplify and celebrate these. The speech therefore becomes a spectacle – in this case a show trial – and the audience spectators (Perelman 1992, 63-68). Throughout the speech, the speaker repositions himself, according to his role as either attorney or *imbongi*, shifting between accusatory and laudatory style. The latter style features most prominently in those sections of the speech in which he addresses not his immediate audience, but all members and supporters of Inkatha.

taxis

The speech delivered by Albert Mncwango consists of altogether twenty-one paragraphs, varying between ten and twenty-three lines of the Hansard transcript. The longest paragraphs are paragraphs twelve and thirteen which follow four paragraphs in which the speaker has shifted from addressing the National Assembly, to speaking to his supporters, starting with paragraph eight in which he delivers a part of his speech in Zulu. Building up to the climax of the speech in paragraph twelve, the speaker criticised the amnesty provisions and shifts towards a defensive stance. Throughout the speech, Buthelezi, either directly or by means of making reference to his leadership position (leader of Inkatha) is mentioned thirty-five times. After not having been referred to at all in paragraphs ten and eleven, Buthelezi, is now alluded to seven times in one single paragraph, that argues that the IFP and its leader have always rejected violence and acted within the realm of law. The creation of such a presence will be invoked again toward the end of the speech, when Mncwango will juxtapose Buthelezi, a man of principle and rational actor with good intentions, and Archbishop Desmond Tutu, who is accused of having been biased.

In terms of arrangement, what is most striking is the fact that the speech does not have any introduction. 'In argumentation, the important thing is not knowing what the speaker regards as true or

important, but knowing the views of those he is addressing' (Perelman 1969, 25). The *exordium* furthermore is crucial as it allows the speaker to ingratiate himself with his audience and establish a common ground. Instead, the speaker commences his speech by expressing critique. While he may have been aiming at distancing himself from the four previous speakers, of which three were from the ANC and one from the DA, he antagonises the audience present. Failing to establish a common ground and seeking to rally and unite the audience around some common values, beliefs or goals, also leads to the fact that the speech transcript is riddled by interjections. The Hon Mncwango's speech was by far the most controversial speech delivered during the joint sitting, not only was it the speech most frequently interrupted but also elicited other Members of Parliament who spoke after him to refer to or comment on the speech.

pisteis

Mncwango's speech abounds in emotional appeals, ranging from the invocation made in Zulu of killings in the East Rand, among them cases of necklacing. The style of his speech being that of an imbongi would be recognised by his Zulu audience and have the effect of an emotional appeal in itself. The reference to Buthelezi's royal princely title reveals the anachronistic relationship of the speaker with the democratic order which effectively demoted Buthelezi. Hence, Mncwango also calls 'upon the people of goodwill'¹⁹⁰ and invokes values to stir emotions and rally his supporters.

topoi

While many speaker delivered speeches using the *topos* of unity, Mncwango's speech is full of juxtaposition and pursues "separate unity". Refusing to present an apologia, instead the speaker tries to rectify, correct and rewrite and uses facts and accusations that feed into the *topos* of injustice, among these also the special topics of past fact and future fact, comparison and testimony. With the intention of polishing Buthelezi's tarnished image, Mncwango praises the leader of the IFP as being virtuous and uses the *topos* of amplification to achieve this end: 'the TRC findings about Inkatha and its leader, Prince Mangosuthu Buthelezi, remain outlandish and preposterous'¹⁹¹.

¹⁹⁰ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.3)

In line with the considerate effort of his party to rewrite history, the IFP's Mncwango uses a number of charged terms to convince his intended audience. His speech, made up of predominantly long and complex sentences also uses various figures of speech. Altogether consisting of eighty-five sentences, he would also ask one question to heighten effect: 'Why?'¹⁹² To support the ethnic call he makes he uses Zulu in paragraph seven¹⁹³ and accuses the TRC of having operated within a 'cultural paradigm'¹⁹⁴. To support his revisionist discourse, he uses legal and political terms, in many instances modifying them to prove how the IFP has been wronged: 'accommodation', 'alliance', 'bilateral'¹⁹⁵; other words used are relate to violence and war. Many of the charged terms are composite expressions as in the case of 'pathetic scramble'¹⁹⁶, 'propaganda' and 'spoils of war'¹⁹⁷. 'Real onslaught'¹⁹⁸ is another evidence given during the Joint Sitting of how terms rooted in the past, are still presently used to mount arguments. One of Mncwango's boldest accusation relates to 'a systematic plan of mass assassination'¹⁹⁹ analogies is a comparison of the TRC with the Spanish Inquisition.²⁰⁰ To many members in the audience, but more particularly those not immediately present, or in rural KwaZulu-Natal, this would indeed sound as obscure and scary as the Spanish influenza. Significantly, Mncwango does use a term related to health and infectious diseases, urging Parliament not to 'contaminate'²⁰¹ itself with the Report. Among the figures of speech used are metaphors ('book of the past'²⁰²) and metaphors of lightness and darkness set at the end of the address.

Mncwango's speech has more auxiliaries than verbs highlighting the fact that his speech is part of a grand new meta-narrative, aiming to build a future that is not 'bedevilled by our past'²⁰³ in search of 'fundamental historical truth'²⁰⁴. For this purpose also he invents the term 'true-or-false test'²⁰⁵. Finally, Mncwango's use of 'reconciliation' indicates that he can't resist the expedience of *homonymy*.

¹⁹¹ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.5)

¹⁹² Hansard op. cit., (Tape: 100, Disk: 359, Take: G.13)

¹⁹³ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.5)

¹⁹⁴ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.3)

¹⁹⁵ *ibid.*

¹⁹⁶ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.10)

¹⁹⁷ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.12)

¹⁹⁸ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.3)

¹⁹⁹ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.5)

²⁰⁰ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.11)

²⁰¹ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.2)

²⁰² Hansard op. cit., (Tape: 100, Disk: 359, Take: G.1)

²⁰³ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.1)

²⁰⁴ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.12)

Following the speech delivered by the then Minister of Education, Kader Asmal, the IFP's Mangaqa Mncwango was to address the Joint Sitting. The speaker neither refers to any of the previous speeches made that day, nor does he introduce the topic of his address. Following a short string of greetings extended to the distinguished members among the audience present, already in the third line of his speech, he expresses 'concern'²⁰⁶ with regards to the prosecution of perpetrators who committed human rights violations during the apartheid era but failed to apply for amnesty. Mncwango's concern is a point of contention and a curtain raiser, baring open the stage on which he will display his case against the TRC process, which he would come to label 'sensationalist circus of horrors'²⁰⁷. Failing to establish a common ground at the beginning of his speech, he effectively antagonises a significant part of his audience. By labelling the political crimes committed during apartheid 'conflicts of the past'²⁰⁸ he repositions these crimes afar in time, to the periphery of his oratorical stage, firmly set in the present. An assumption, as if commonly shared, that 'the book of the past'²⁰⁹ needs to be closed is transformed into a (pre)condition for a peaceful future. The past summed up, the speaker warns, will equal to a future 'bedevilled by our past'²¹⁰. An intricate spatial frame overlaps past, present and future tense as the following sentence displays: 'our future *will continue* to be bedevilled by our past.'²¹¹ [my emphasis] If the past 'will continue'²¹² into the future, this means that it will transpose the present into the future, without undergoing any process of transformation. History will repeat itself – no change will occur – needless to say, an uncomfortable scenario that was bound to raise emotions in the audience one way or another.

By focusing primarily on the past and the future, the speaker puts a spatial bracket around the present and refuses to engage with it. Henceforth, a grand historical narrative omits to examine the present. By re-visiting the past, it seeks to redefine the IFP and the role it has played in the past, hence making this a revisionist discourse. This first paragraph sets the tone of the IFP's first MP speaking in the National Assembly that day and abounds with theses and warnings, wrapped in indefinite and foreboding auxiliaries. Letting 'bygones be bygones'²¹³ in order to break with the past is what Mncwango advocates and simultaneously he sparsely uses verbs, but replaces these by auxiliaries, doing away with the tenses, and reshuffling language in order to rewrite history. His first paragraph ends in a dramatic 'check'-like

²⁰⁵ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.6)

²⁰⁶ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.1)

²⁰⁷ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.14)

²⁰⁸ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.1)

²⁰⁹ *ibid.*

²¹⁰ *ibid.*

²¹¹ *ibid.*

²¹² *ibid.*

²¹³ *ibid.*

ultimatum, calling for either prosecution or supporting 'an amnesty which will be administered by the judiciary.'²¹⁴ The speaker in the second paragraph picks up on the tone set in the first paragraph where concern was raised, it is now interspersed with regret: 'it is tragic...'²¹⁵, the focus having been centred on the past now turns toward Parliament. With regards to the final report of the TRC, he recommends that 'we ought to debate it without approving it'²¹⁶. It is significant at this stage to bear in mind that the event, the joint sitting not only rules out a debate but even more significantly, does not foresee for any vote to be taking place. Parliament, according to the South African constitution, is bicameral and 'is elected to represent the people and to ensure government by the people under the Constitution. It does this by choosing the President, by providing a national forum for public consideration of issues, by passing legislation and by scrutinising and overseeing executive action' (The Constitution 1996, 27). That day, Parliament would be doing none of the above, but instead deal with 'special business', joint sitting business. Mncwango objects to the role Parliament would be playing by adopting 'a document which purports to describe our past.'²¹⁷ His recommendation, in order to avoid the creation of a rubber-stamped version of history, is to 'note the report of the TRC and give it no status or special recognition.'²¹⁸ The founding act of the TRC was an act of Parliament, but the joint sitting, being a merely ceremonial event, will not bear any legal implications or lead to actions. There seems then to be a deep-seated resentment as to the role Parliament has played within the TRC process. Beyond this, the speaker expresses his rejection of even a ceremonial event to mark the end of this process, which in his words was paved by short-comings and produced an unbalanced version of South Africa's recent past.

After having raised two main points of contention both connected to the TRC, namely the past and how to deal with it, and the role of Parliament, in the third paragraph, the focus shifts and is directed on the TRC itself. Rejecting the TRC and the report it has produced, which is equalled to an infectious disease, he aims to prevent the institution of Parliament to become infected, 'contaminated'²¹⁹ by what he labels 'a flawed product of a flawed process conducted with flawed motives.' He exposes what according to him the purpose of establishing the TRC was, namely 'promoting national reconciliation'²²⁰ by means of finding the truth, administering amnesty and finally providing reparations. This then is the standard according to which he evaluates the TRC process and equalling the final report with the TRC itself he qualifies it a failure. That the aim of promoting reconciliation has not been reached is proven by the 'very debate'²²¹ itself held that day. These statements reveal not only the attitude and expectation the speaker had toward the TRC and how he understood its mandate, but also what he understands

²¹⁴ *ibid.*

²¹⁵ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.2)

²¹⁶ *ibid.*

²¹⁷ *ibid.*

²¹⁸ *ibid.*

²¹⁹ *ibid.*

²²⁰ *ibid.*

reconciliation should entail. Antjie Krog, in her book *Country of my Skull*, cites a psychiatrist in order to give insight into what many (South Africans) had rationalised the TRC process:

People thought the Truth Commission would be this quick fix, this Rugby World Cup scenario, and that we would go through the process and fling our arms around each other and be blood brothers for evermore. And that is nonsense – absolute nonsense. The TRC is where the reality of this country is hitting home and hitting home very hard. And that is good. But there will be no grand release – very individual will have to devise his or her own personal method of coming to terms with what has happened (Krog 2002, 129).

In the paragraphs that follow, Mncwango exemplifies how the IFP has come to terms with the past and how the party views the TRC. In principle, his party does support the promotion of reconciliation and suggests that it has been pursuing this policy for some time already and invested great effort. For Mncwango, reconciliation consists of truth and justice and since 'the TRC report has little to do with either'²²² it must be rejected. That this does imply more than a mere rejection of the South African truth commission, is highlighted by the fact that he calls 'upon all people of goodwill to be united in rejecting the TRC Report.'²²³ By calling upon the people of goodwill, Mncwango addresses an audience outside the National Assembly. This extended audience is mainly based in rural KwaZulu Natal: the Zulu supporters of the Zulu monarch, King Goodwill Zwelithini as well as this royal institution and this represents also the IFP's broad electoral base. Broadening and shifting of the target audience is a means to pay tribute to another political realm, the Zulu monarchy. Anderson states that

in fundamental ways 'serious' monarchy lies transverse to all modern conceptions of political life. Kingship organises everything around a high centre. Its legitimacy derives from divinity, not from populations, who, after all, are subjects, not citizens' (Anderson 1983, 25 & 26).

The TRC was part of the nation-building process, but more significantly so, it was a pre-condition for the nation to be built, as the amnesty clause became one of the cornerstones of the negotiated settlement. This very historical agreement is what the IFP rejects: 'the TRC was foreshadowed in the interim Constitution [...] and was the product of a bilateral political accommodation reached between the then ruling NP and the ANC alliance.'²²⁴ Terms such as 'accommodation', 'alliance' and 'bilateral'²²⁵ create the impression that only the NP and ANC were part of the negotiations at which in actual fact a multitude of parties had deployed their delegations to debate and conceive of a new political order for South Africa. Thinly disguised, feelings of bitterness, of having been short-changed transpire through the speech, as the role the IFP has played has been 'obliterated'²²⁶. The talks of Kempton Park are

²²¹ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.3)

²²² *ibid.*

²²³ *ibid.*

²²⁴ *ibid.*

²²⁵ *ibid.*

²²⁶ *ibid.*

described in a manner that echo Hitler's tirades against the *Schmach von Versailles*.²²⁷ Their discursive subtext is woven of the same fabric revisionist debates that abounded in former Yugoslavia in the 1990s. Both the role of the IFP in defining the future of the country, as well as the role the party and its leader had played during the struggle for liberation, were reduced to side-shows, regarded as minor. Although those fighting apartheid agreed on the aim, namely liberation, there were in fact various struggles waged, by different groups, all varying in means and ideologies. Hence, vastly diverging struggle histories have emanated. Indeed, apartheid was not brought about by one party's victory over another, there is nevertheless a "majority" history. Against this "majority" chorus – and the interjections from his immediate audience – Mncwango, like an *imbongi*, calls out the name of Buthelezi. This strong ethnic call aims at going against the grain of what he qualifies 'the cultural paradigm of a bilateral conflict'.²²⁸ By employing the euphemism 'promoters of the armed struggle'²²⁹ for the ANC, he switches from an "ethnic", royal court floor to the bar, accusing the ANC of having opted for violence as a means for fighting the apartheid system. He furthermore implies that the IFP refrained from such means and pursued the path of a non-violent struggle. Once more, the speaker laments the fact that the IFP has not been given the recognition and credit it deserves for the role it has played, 'the efforts made by its leader Prince Mangosuthu Buthelezi, to secure the release of all political prisoners and the unbanning of political parties'.²³⁰ Furthermore, this statement ascertains that there is indeed nothing the IFP is in need of rectifying. It is also void of acknowledging any past wrong-doing. Instead of any admission of wrong-doing and guilt, at the beginning of the sixth paragraph, Mncwango charges that 'lies [...] were employed in the 80s and early 90s to vilify Inkatha and its leader'.²³¹ He therefore objects to his party being held responsible for past offences and deflects from any type of admission of guilt of Inkatha. He establishes one of the achievements of the TRC, namely having explored and exposed the machinations behind the 'black-on-white and white-on-black conflicts'²³². Immediately, however, he pursues to bar the TRC of the limited success and legitimacy he grants the commission, by exposing two of its much-debated short-comings: its composition and the issue of black-on-black violence. This violence, going back to the 1980s and erupting in the early 90s, affected predominantly the province of KwaZulu Natal but also Gauteng where large Zulu populations gathered to work in the mining industry. The point has been raised that South Africa should have followed the Chilean example and appointed the committee members of the TRC from the former ruling class as well as representing the ranks of the liberation movements.²³³ In the case of Chile it was necessary to avoid antagonising the

²²⁷ English translation: Disgrace of Versailles. The Treaty of Versailles, signed at the end of World War I between the Allied forces, associated countries and Germany, foresaw the latter to cede some territories and pay reparations for having sparked off the war.

²²⁸ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.3)

²²⁹ *ibid.*

²³⁰ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.4)

²³¹ *ibid.*

²³² *ibid.*

²³³ Then Premier of the Western Cape Marthinus van Schalkwyk raised the same point (Tape: 102, Disk: 361, Take: I.3)

military and secure their co-operation in the process of unveiling the past. In South Africa, the TRC had even greater expectations to fulfil by having to comply with the challenge of re-establishing the moral fabric of a deeply traumatised nation.

Prior to the first democratic elections in 1994, levels of violence in South Africa spiralled out of control, fuelled by mistrust between the various political parties and the infamous third forces rejecting the fact that the tide of history was turning against them. The so-called Natal killings have not been dealt with by the TRC, although as Mncwango testified, 'a systematic plan of mass assassinations' affected 'about four hundred IFP leaders and office-bearers'.²³⁴ Therefore it is not surprising that the speech, which increasingly targets a specific audience reaches its climax at the moment the speaker refers to these incidents – and promptly switches into Zulu. A description of the role and the power of an *imbongi* is illuminating: '...where there are people in opposition, then the *imbongi* gets up. He inspires, in so much that if anyone of those dare stand up he could be assaulted' (Opland in: Okpewho 1992, 28). Having led his audience to such a pivotal and emotional point, the speaker channels the tension and shifts to an apology of his leader, Buthelezi. He underplays the powers Buthelezi had in his position of Minister of Police and even goes as far as drawing a parallel between the mechanisms of the apartheid regime and the current police forces. Buthelezi, his hands tied 'in a system analogous to the present status of police force in our provinces'²³⁵ the speaker implies, basically could not do anything, especially with regard to 'action taken outside any chain of command by people loosely affiliated with the KwaZulu Police'.²³⁶ He therefore rejects any criticism the TRC has – 'in bad faith'²³⁷ – expressed with regard to the machinations of the third force and Inkatha's infamous role in destabilisation efforts and the spreading of violence across the province of KwaZulu Natal. This also rules out any admonition of guilt.

In the following paragraph, the speaker once more evaluates the task the TRC was to conduct and holds it up against what he deems has been achieved instead, assuming that there are 'tools by means of which, through time immemorial, the truth'²³⁸ can be ascertained. Not only has the TRC failed to make use of these tools, but it has 'suspended the law of diffamation', leading it to an oxymoron: 'false findings'.²³⁹ He criticises the TRC for having allowed the publication of findings that had not always been verified. In this instance, it is clear that Mncwango is referring to the court case the IFP opened against the TRC in order to stop the commission to publish certain of its findings. By means of alliteration (false findings, false information, true-or-false test) emphasises his claim, namely that the TRC process was false. The fact that he mentions a 'true-or-false test' is a slightly modified (neologism)

²³⁴ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.5)

²³⁵ *ibid.*

²³⁶ *ibid.*

²³⁷ *ibid.*

²³⁸ *ibid.*

lie-detector, possibly suggesting the mode of truth-finding he would have been in favour of, resounding of true or false type of questions every fashion magazine features. He does not elaborate on the advantages these kind of approaches would have harboured for those who came forward to tell their stories, nor more broadly speaking, South African society in general. Whereby these are mistakes that can be summarised as procedural, the main point of contention the IFP has to raise is geared toward the issue of amnesty, the thread that was used by amnesty applicants 'to embroider upon their stories'.²⁴⁰ The verb employed to describe the process of making a statement in front of the TRC, embroider, gives insight into what the speaker makes of the concept of narrative truth, but also the TRC, a textile workshop, a sweatshop, in which consent is manufactured and the best embroideries receive the amnesty brand label. Irony makes way for derision, when the speaker in the following paragraph expands on the criteria an applicant for amnesty had to fulfil. In addition to the tapestry of evidence alluded to aforehand, 'much more'²⁴¹ was required. While initially stating that 'such much more'²⁴² was not clarified, the speaker pursues to elaborate on the demands posed on amnesty applicants by the provisions of full disclosure and a political motive. The TRC had to be pleased. Pleasing someone is in the realm of the senses, highly subjective and is not based on logical premises. By implying that the TRC had to be pleased with stories, instead of convinced with factual truths, Mncwango prepares the ground for the longest paragraph of his speech, in which he tries to prove the IFP's innocence. Furthermore, he resumes to redress the position of his leader, Buthelezi. In order to achieve the former, he argues that both the IFP policy and Buthelezi were consistent in advocating and preaching peace and non-violence. Buthelezi is described as a peace-maker and qualified as 'the only leader involved in the conflict of the past who never ordered or authorised violence'.²⁴³ Therefore those who did imply that the IFP had condoned or authorised acts of violence, were making these statements up, 'invented' them as 'in their own minds'²⁴⁴ they thought by doing this they were pleasing their leaders. The repeated use of pleasing, suggests ulterior motives at hand, as opposed to genuine rendering of the truth. This paragraph is crucial as it intensifies the stance taken earlier on, pursuing the aim of denigrating the TRC's achievements and criticising the amnesty provision on the one hand and on the other, denying any shortcomings from the IFP. This effort goes hand in hand with the praising of the IFP party leader, an effort however, that at its climax, was met with protest and frequent interjections from the house. Unabated, the speaker pursues to move from innocence, injustice and the IFP to the party he deems guilty: the ANC. Even though the main aim is to expose the attempt made by members of the ANC to be granted blanket amnesty, it is a goal that is still subordinate to the reconstruction of the heavily tainted image of Buthelezi, who is portrayed as a victim of ANC instigated political violence:

²³⁹ *ibid.*

²⁴⁰ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.7)

²⁴¹ *ibid.*

²⁴² *ibid.*

²⁴³ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.8)

'the ANC leadership had been involved in plotting the assassination of Prince Mangosuthu Buthelezi.²⁴⁵ At this stage, the members in the house vehemently protested and managed to silence the speaker, leading to another IFP member to call for the Speaker, the Hon Sybil Ann Seaton²⁴⁶, to allow Mncwango to deliver his speech. Once silenced by the Speaker, Mncwango repeats his last point ('I want to repeat this because members did not quite get it')²⁴⁷, leading to renewed interjections. Two terms that stand out of the last sections of this paragraph and would easily be identified by his audience are 'violence' and 'victim'²⁴⁸. Both these term relate to the experience of the IFP. Once again, the IFP is positioned against the pair of ANC and NP and is described as a victim. Seeing that previously Mncwango had described Buthelezi as a victim and promoter of reconciliation, his audience will understand that 'the political party which became the victim of both the violence of the armed struggle and the violence of apartheid is portrayed in this report as the major promoter of violence'²⁴⁹ is the IFP. According to Mncwango, the fact that the TRC report could give such detailed insight into violations committed by both the apartheid government and the liberation army of the ANC but failed to expose such violations enacted by the IFP, absolves the IFP of any guilt. That this is not the logical consequence of the TRC report ('that defies any logic')²⁵⁰ is what the speaker denounces, once more denying any possibility of the IFP bearing any guilt. Instead, the IFP is repeatedly portrayed as a party that has been marginalised, and victimised. The main culprit is the TRC which conducted a 'pathetic scramble'²⁵¹ to find ways in which to hold Buthelezi 'accountable for the violence and real onslaught which was directed at Inkatha.'²⁵² To the audience of IFP supporters Mncwango directs his speech, violence is not an abstract, hypothetical term. It is something most of them can identify with, and have experienced, given that the province of KwaZulu-Natal was, besides the Eastern Cape, in many areas, the most ferociously contested political battlefield in South Africa. Mncwango qualifies it as the 'real onslaught'²⁵³ implying almost that this was the real struggle that was fought. In the South African context, the term onslaught is highly charged. "Total onslaught" was coined by former President PW Botha and became the policy to defend South Africa from its surrounding socialist neighbours but was also directed at the "enemy within", the liberation movements. The real onslaught, what really happened, the whole truth is found amongst 'millions of documents'.²⁵⁴ The use of hyperbole is meant to mount the scales of justice favourably for the IFP as the evidence produced by the TRC is described

²⁴⁴ *ibid.*

²⁴⁵ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.9)

²⁴⁶ 'Madam Speaker, will you please ask the House to listen to our speaker. [Interjections.]' (Hansard Unrevised Copy (Tape: 100, Disk: 359, Take: G.9)

²⁴⁷ *ibid.*

²⁴⁸ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.8)

²⁴⁹ *ibid.*

²⁵⁰ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.10)

²⁵¹ *ibid.*

²⁵² *ibid.*

²⁵³ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.10)

²⁵⁴ *ibid.*

as the proverbial needle in the haystack: one sentence in one twenty-page document found among millions of documents, pledging for self-defence against ANC violence. In paragraph fifteen, the speaker insults the TRC, twice employing the term pathetic (pathetic scramble, pathetic mind) and in a final instance, adding to the alliteration of disdainful sounding Ps, rails against the 'preposterous reconstruction of history'²⁵⁵ as undertaken by the South African truth commission.

As the speech approaches the end, the speaker becomes more and more defensive, launching vitriolic attack against either the commission or the ANC, interspersed with further examples of injustices committed against the IFP. In the sixteenth paragraph, the speaker goes as far as drawing a comparison between the TRC and the Spanish Inquisition. The methods applied to obtain testimonies of the kind 'the inquisitors wanted to hear' ended up being 'regurgitated old lies and propaganda'.²⁵⁶ The prospect of having to face the Inquisition, drove some people to admit to anything, including 'sexual intercourse with the devil himself'.²⁵⁷ This allusion to the realm of sexuality goes with the feeling of betrayal and obfuscation vented in paragraph fifteen, where Mncwango seems to suggest that the IFP has been cheated on.

While the TRC has been lauded in the field of transitional justice as a historical milestone amongst truth commissions, and experts from many countries study this model, the IFP speaker readjusts the historical significance the commission had by comparing it to the Spanish Inquisition. Once this analogy is done established, it allows for the establishment of further parallels. Is it surprising then, that fear drove IFP supporters who gave testimony at the TRC to turn against their party-leader and party. In the South African case then, the IFP is the party being fornicated by its supporters. The TRC is once more described as an alien body, 'culturally and politically'²⁵⁸ radically opposed to the IFP.

A further point that proves the antagonism of the TRC toward the IFP is produced in the next paragraph as the speaker pursues to takes stock of the TRC's errors and shortcomings. As if the mere use of terms such as 'truth' and 'fact' by being interspersed in the speech, reflect the presence of truth being spoken, facts being revealed, Mncwango produces a 'fundamental statement'²⁵⁹ followed by a 'fundamental historical truth'²⁶⁰ about the victimisation of his party. Once again the IFP is depicted as the loser in an unfair battle, where it was attacked from two sides, 'the ANC MK and the UDF'²⁶¹ while

²⁵⁵ *ibid.*

²⁵⁶ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.11)

²⁵⁷ *ibid.*

²⁵⁸ *ibid.*

²⁵⁹ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.12)

²⁶⁰ *ibid.*

²⁶¹ *ibid.*

sticking to its principles of 'passive resistance and nonviolence', and' the 'rejection of military action'.²⁶² A speaker on addressing an audience usually aims to achieve adhesion and therefore presupposes the agreement of the audience of certain premises. Amongst the objects of agreement relating to the real, Perelman and Olbrechts-Tyteca sum up facts, truths and presumptions that claim validity vis-à-vis a universal audience. 'The term "facts" is generally used to designate objects of precise, limited agreement, whereas the term "truths" is preferably applied to more complex systems relating to connections between facts' (Perelman & Olbrechts-Tyteca op. cit., 68 & 69). What the speaker then argues, is that if all the facts produced by the TRC do not sum up a truth the IFP embraces.

As advocated previously, the speaker argues that South Africa's history is in need of being re-written, 'in a more objective manner'.²⁶³ The use of the adverb 'properly'²⁶⁴ implies that history, as it has been retraced by the TRC, is improper, needs to be cleansed. At this point, the speaker enters the realm of ethnic politics as well as mysticism and traditional value systems. Ethnic cleansing, implies "ethnic pollution"²⁶⁵ and impurities as well as the need for a different cleansing ceremony to facilitate healing that the TRC undertook. The speaker draws an apocalyptic scenario of South Africa, in which, had the IFP embarked on an 'armed struggle'²⁶⁶ the country would have been reduced to ashes and nothing, 'no spoils'²⁶⁷ would have been left. This scenario insists on the ANC as a victorious party, feasting and benefiting on liberation day from the conquered 'spoils' amassed and left behind by their predecessors. The only reason the country was spared such devastation is due to the heroic figure of Buthelezi: 'it will also emerge that Prince Mangosuthu Buthelezi has been the great unsung hero of our liberation struggle'.²⁶⁸ What the speaker therefore undertakes to do, is to sing the praises of Buthelezi in the remaining sections of the speech, interspersed with a liturgy of Buthelezi's efforts and achievements, emphasised by an alliteration of sentences commencing with 'he'. The verbs used are pragmatic terms, borrowed from legal language and diplomacy ('advocated', 'negotiated solution', 'drafting') in the midst of which is situated Buthelezi as the negotiator, the saviour, the hero, who similar to Kissinger's Shuttling Diplomacy was himself pursuing a "shuffling diplomatic" mission within Homeland politics and apartheid leaders in Pretoria.

Plays, notably John Kani's *Nothing But the Truth* or the motion picture *Soweto Greens* have highlighted the challenges as well as tensions those who returned from exile had to face in the early 1990s. Mncwango uses this argument as well, given that Buthelezi, unlike Mbeki, remained within South Africa, 'whilst

²⁶² *ibid.*

²⁶³ *ibid.*

²⁶⁴ *ibid.*

²⁶⁵ I borrowed this term from Dub-poet Linton Kwesi Johnson.

²⁶⁶ *ibid.*

²⁶⁷ *ibid.*

²⁶⁸ Hansard op. cit., (Tape: 100, Disk: 359, Take: G.13)

others were abroad, he' ... 'created bridges across the divide of apartheid'.²⁶⁹ Buthelezi, by building bridges across divides, is also regarded as a nation-builder, who 'created the basis on which the new South Africa was shaped'²⁷⁰ and that is what the speaker implies, should have been rewarded with a higher position within government. Mncwango, like an archaeologist digs in the past, and in pre-1994-history re-establishes his party leader's glory and reputation. Buthelezi, the political dinosaur, the missing link, is denied stature as a liberation hero, nation-builder and elder statesman, by the TRC, more precisely so, its former Chairperson Archbishop Desmond Tutu. Buthelezi, the bridge-builder's edifice of peace and unity, who set the basis for the new South Africa to emerge, is juxtaposed to Tutu's 'inherent bias'.²⁷¹ Tutu, who was the driving force behind the formation of the United Democratic Front in 1983, could in Mncwango's eyes, only be partial. It is from this initial premise that the speaker draws his conclusion, that the South African truth commission, 'remains a sensationalist circus of horrors presided over by some people who craved the centre-stage spotlight'.²⁷² The TRC is once more viewed in terms that belong to the realm of the irrational, notably emotions (sensationalist) and farcical road-show that travelled the country, displaying tales of horror.

It is significant to note the repeated use of terms that refer to lightness or darkness throughout the speech. The speaker even concludes his speech, which aimed at exposing the TRC, shedding light on its flaws, uses metaphors of lightness and darkness in his closing sentence. The IFP's leader, previously described as the beacon of hope, generally associated with light or colour (rainbow), has been side-lined and over-shadowed by 'some people'²⁷³ who took to the centre-stage and exposed 'horrors'²⁷⁴, casting dark and gloomy shades, onto Inkatha's leader. This closing sentence reveals to what extent the IFP rejects not only the work of the TRC but has still not, albeit emphatically supporting reconciliation as a national policy, reconciled with the way in which apartheid was dismantled at the negotiation tables of Kempton Park.

conclusion

As this analysis highlights, the IFP positions itself outside the Parliamentary realm, and embraces a different interpretation of the recent South African history, of terms such as reconciliation, truth and justice. The key to understanding Mncwango's tactics lies in the fact that the target audience is located beyond the National Assembly. Buthelezi who conducts both power and authority in his home

²⁶⁹ *ibid.*

²⁷⁰ *ibid.*

²⁷¹ *ibid.*

²⁷² Hansard op. cit., (Tape: 100, Disk: 359, Take: G.14)

²⁷³ *ibid.*

province, is one among many MPs and members of cabinet when in actual fact he is in the House of Parliament! Hence, the *imbongi* in the House. This does, however, also beg a further question as to whether the speaker felt he could not engage with his present audience or whether he purposefully opted to stage his dissent towards the purpose of the joint sitting, to express his dissent. While the joint sitting was convened for the members of all parties to express their views on the final report of the TRC, the speech the Honourable Mncwango delivered suggests that with regard to the TRC process, the IFP, albeit calling for the book of the past to be closed, rejects not only the report the commission produced, but more significantly, the adjective 'final'. The wounds and divisions of the past are still wide open and feelings of bitterness have not subsided in the least. The tone of the speech and the claims brought forward by the speech rhetorically demonstrates that while using the same word, the IFP refutes the idea of (political) reconciliation.

Of further significance is Mncwango's choice to stand in as the *imbongi* of his party leader, troping not the people but the king, and not to comment on the recommendations made by the TRC. Instead the speaker panned judgement on the Report, the Commission as well as its origins. This display of forensic rhetoric, set in the past and cross-examining the TRC, is part of a wider effort to rectify the annals. It is part of the same chorus, Premier Mtshali and also Reverend Zondi had already given the key-note to. It does also reveal that the speaker himself has not been able to let bygones be bygones. Therefore, he is unable to provide his audience with a vision for the future.

²⁷⁴ *ibid.*

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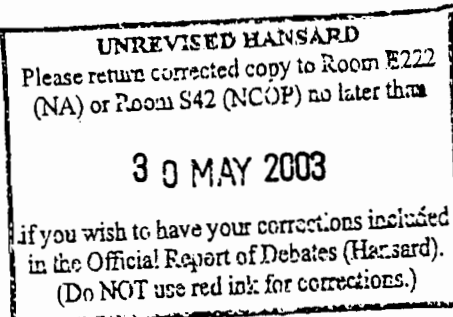
18 APR 2003

TAPE: 102

DISK: 361

TAKE: I.1

The MINISTER OF TRADE AND INDUSTRY



3.3. PREMIER OF THE WESTERN CAPE, MARTHINUS VAN SCHALKWYK'S SPEECH (NNP)

- 1 The PREMIER OF THE WESTERN CAPE: Chairperson, in many respects the TRC has ^{=f=}staddled the historical divide between the old and the new South Africa. With its feet firmly rooted in our past, and its gaze fixed on our future, it has been one of the defining features of our first decade of democracy. As a country we have been, sometimes outraged, sometimes shocked, and sometimes ashamed by the evidence we have heard. We have wept with the victims and their families, and we have marvelled at the strength of the human spirit.
- 2 Although we are today closing the book on the proceedings of the TRC, and considering its final recommendations, we should also pause to make an honest evaluation of its work. It was always too high a standard to expect from the Commission to achieve 100% truth or 100% reconciliation. Yet, it did play a critical

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TAKE: I.2

role in normalising our approach to life in our country. It provided a release valve for much of the hurt, pain, anger and anguish which resulted from the injustices and the oppression of apartheid.

3 Afrikaans:

Die werklike betekenis van die WVK lê nie net in sy bevindings en sy aanbevelings nie, maar ook in die feit dat die kommissie daar toe in staat was om sy loop te neem. Hoewel dit nie 'n volmaakte proses was nie, was die WVK-proses net so nodig soos die aanvanklike onderhandelinge wat uiteindelik die nuwe demokratiese Suid-Afrika daargestel het.

4 In ons land waar ons uit verskillende agtergronde kom, sou die proses om verskillende ervarings met mekaar te versoen, en waardering daarvoor te skeep, altyd 'n pynlike, maar ook soms 'n kontroversiële ervaring wees. Die WVK het daartoe bygedra om die fondament te lê waarop bruin, swart, wit en Indiër kan bou aan 'n gesamentlike toekoms.

5 English:

As a nation, our thanks must be extended to Archbishop Tutu and the other commissioners, and also the staff of the TRC.

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[Applause.] Even more than the rest of South Africa, they must have known that many observers would either criticise the final report of the Commission, or dismiss its findings as biased or irrelevant a decade after the fact. Despite this, they have rendered a significant service to South Africa; a service addressing our past in order to strengthen our future resolve. The TRC has assisted us, once on different sides of history, to today be part of building our common future.

6 The New NP has also certainly been critical of some aspects of this process, like the composition of the Commission, and the remarks and conduct of certain commissioners during the process. But on balance, the positive aspects have outweighed the negative ones. The TRC opened our eyes to incidents and issues to which we might otherwise have been oblivious. This was particularly true of the individual experiences which were shared; of families and loved-ones missing, of innocent victims of bravery, depravity and tragic loss.

7 What the TRC did not reveal, because it could not, were the hundreds of thousands of untold experiences. In asking: "What now for reconciliation in South Africa?", the answer must always remain: We must ensure that the many told and untold experiences are never repeated.

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8 The TRC has shared with us all one part of the story of our country. Another part, the largely untold narratives, are also about the loss of opportunity and the degradation of human dignity, like that of May Abrahamse. Born in the heart of District Six, she is one of the most talented South African performers who has ever lived. She portrayed the leading female characters in a host of musicals, and she sang leading soprano roles in major operas. But in the apartheid years, at the height of her talent, she was never given the opportunity to perform as a soloist at any of the major opera houses. Instead, she went about teaching, and imparting her talent and technique to countless young people from disadvantaged backgrounds.

9 It was only in 2001 that she appeared for the first time on stage at the Artscape Theatre in Cape Town. Last week in the Western Cape, May Abrahamse received provincial government honours for her lifelong achievements and dedication.
[Applause.]

10 Nor was the experience mentioned of Gary Boshoff, one of the many talented and exceptional coloured sportsman who were denied the opportunity to represent their country at the highest

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TAKE: 1.5

competitive level. Born in Caledon, here in the Boland, he started playing representative rugby in 1984, and he was selected to play for Sarph^u in that same year. In 1989, linked to a bursary to continue his studies at Oxford, he was presented with an opportunity to play in the Oxford-Cambridge Derby, anybody's dream. Given his personal commitment to Sarph^u's policy, that prohibited its members from playing international rugby at the time, he declined that opportunity.

|| In 2001, along with other coloured and black players who were denied the opportunity to represent their country at international level, he finally received his Springbok blazer. Today Gary is the CEO of the Blue Bulls Rugby Union in Pretoria. [Applause.]

12 The truth is that the experiences of thousands of May Abrahamses and Gary Boshoffs went untold in the TRC process. In this sense, every day in South Africa is about truth and reconciliation, about dealing with the inheritance of our past, and we all have a collective and a personal role to play in this regard.

13 Turning specifically to the issue of reparations, Former President Mandela, speaking in a special debate on the TRC,

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report in February 1999 in this House, acknowledged that reparations can only ever be symbolic, never in proportion to the extent of the suffering and the sacrifice of so many of our people. In his words:

14 The best reparation for the suffering of victims and communities, and the highest recognition of the ^{or} efforts, is the transformation of our society into one which makes a living reality of the human rights for which they struggled.

15 The New NP fully endorses this sentiment. At the same time though, it is of great importance for final reparations to specific victims to be paid. The process of paying monetary reparations to individuals does, however, not nullify the need for a wider process of addressing the inequalities created by our past. The New NP favours the idea of a closed list; that those who have appeared before the commission, and have been part of the TRC₇ process, should receive reparation payments.

16 President Mbeki previously, in another debate in this House, said:

17 We must, however, also make the point that no genuine fighter for the liberation of our people ever engaged in struggle for

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TAKE: I.7

personal gain. There are many who laid down their lives, many who lost their limbs, many who are today disabled and many who spent their best years in apartheid prisons. None of these expected a reward, except freedom itself.

18 Those of us who have not been part of this liberation struggle cannot pretend to fully understand the sentiment, but coming from a people who have been part of a liberation struggle, I recognise the sentiments. [Applause.] These sentiments are noble, and that is why they are respected. Liberation struggles should always be for the common good, and the willingness to state that fearlessly pays tribute to those who have made huge sacrifices.

19 The essence of these sentiments is not to downplay the importance of monetary reparations, nor the symbolism of this kind of compensation. The essence is that once-off reparations are never sufficient in, and of, themselves. At the most basic level, the New NP believes that what South Africa needs, most urgently, in the post-TRC period, is a true reparation of the spirit. The restoration of real human dignity will be the only lasting solution to the legacy of racial discrimination.

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TAKE: 1.8

- 20 How best can we correct the imbalances of the past, particularly for those victims of discrimination who were not part of the TRC process? By ensuring that the real reparations are ongoing, almost on a daily basis. The most important means of achieving this goal is by rooting out poverty and creating jobs, by empowering our future generations through better quality education and by expanding the ownership of our economy, for instance, through fast-tracked land reform programmes.
- 21 The New NP is in favour of special interventions in order to address the inherited imbalances in education, as well as the skew distribution of the ownership of land. In order to address these, and other related issues, we would strongly support Government and private sector initiative to inject new capital into upgrading the education system, fast-tracking land reform, and the settlement of farmers from disadvantaged communities. [Applause.] We believe that the goodwill exists for new public-private partnerships to be formed for empowerment in these spheres on the basis that the financial contribution from the business sector is matched rand for rand by the Government.
- 22 Regardless of the format that it will take, the fact that there is wide agreement on the need for broader reparations

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illustrates that we, as South Africans, understand that we must collectively address the legacy of our past, and that the will is there to do so.

- 23 It would be unseemly, that was one of the proposals from the side of the TRC, that 10 years into our new democracy, the President should apologise on behalf of the security forces and state apparatus of the former Government.
- 24 The President has given South Africans the assurance that our Government will never allow the mistakes of the past to be repeated. This is not an undertaking which should be taken lightly, especially with so many prophets of doom contending that it is only a matter of time before South Africa degenerates into being a second Zimbabwe. [Interjections.]
- 25 President Mbeki's undertaking also places a heavy burden on the Head of State, the Government and the majority in our country, especially in a multiracial society like South Africa. I say this, because conventional wisdom is that after a period of goodwill, multiracial societies often fall back into polarisation along racial and ethnic lines, propelled by those whose interests are served by fueling division and polarisation.

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26 The New NP is particularly encouraged by the signs of maturity in the discourse in our country with regard to writing our history, and giving due recognition to our past. [Applause.] The Freedom Park Project is exactly what this commitment is about. Recording the struggles of those who have fallen ⁹into slavery, genocide, wars of resistance, the liberation struggle, the Anglo-Boer War and both World Wars. Building our shared future entails acknowledgement of, and respect for, the different strands of our common history, and a serious awareness of the need for inclusivity.

27 The message to minority communities in South Africa is one of invitation to be part, not only of the process of healing, but also of the process of building. For the white community specifically, those who were in the past in positions of power, the time has come to leave aside feelings of depression about power lost, to leave aside the unqualified glorification of the past, longing for those times will never, and must never, bring them back. [Applause.] Instead, the invitation for the white community is to understand and embrace the challenges of the present and our joint future.

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28 Confronted, as we are in South Africa, by a critical choice for minority communities between retreating into a laager of self-interest and self-pity, or making a positive contribution to the main stream of politics, the choice is self-evident. Instead of complaining and wallowing in the depression of the loss of privilege, the white community should rather celebrate being part of a much bigger South African whole. [Applause.]

29 There are many people in the white community who stand ready to join with us and be builders in the process of reconciliation. [Applause.] For the coloured community this is also true. However, many people in the coloured community who were victimised by our past still feel that the doors in the new South Africa have not fully opened for all South Africans.

30 Noble intentions are one thing, but living reconciliation is quite another. It is a symbol of the power of reconciliation that today Franklin Sonn can be the President of the Afrikaanse Handelsinstituut, and David Piedt can be the Chairperson of the Klein Karoo Nasionale Kunstefees. We have taken massive steps forward, and there are countless examples of what we can achieve together. There is, however, much more still to be done.

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- 31 In conclusion, the first 10 years of our democracy have partly been taken up by dealing with our past. Up until now that has stood between us as South Africans. Now that we can agree on the the formula for dealing with that, we must ask ourselves what more stands between us as we deal with the challenges of our future. [Interjections.]
- 32 The TRC has assisted us in peering into the abyss, and together we have said: "never again". Now we must live that commitment. The New NP commits itself to doing just that, and that is to build this country, hand in hand, with the black majority. [Applause.]

3.4. NNP Speech Analysis – the former ruling party's voice

introduction

Speaking as the party which has succeeded the National Party and in this formation, undergone a number of forward and backbends across the political sphere. In the wake of the 1999 elections, van Schalkwyk briefly joined forces with the Democratic Party, what amounted in Sparks' words to 'political felony' (Sparks 2003, 12), and then the ultimate political pirouette, '.. took the NNP into an informal relationship with the ANC ...' (op. cit. 13). It goes without say that this resulted in a '... thoroughly confused Afrikaner support base' (ibid.). On the other hand, these developments do reveal a recurrent trait in approaches taken by Afrikaner politicians, namely the ability to adapt, pragmatism and survival skills. This becomes apparent when the origins of the discourse that led to the official formation of the apartheid state is taken into account, and the ways in which subsequently it has rephrased and reinterpreted itself, more and more pressed for legitimacy. In this regard, Norval's study is enlightening: '... apartheid discourse proceeded, from the very start, by creating a representation of the nature of society and thus, of its unity, that had as its precondition the exclusion of a series of 'others' (Norval 1992, 4). With regard to the experience of Afrikaners, this discourse succeeded '... to make sense of a series of dislocations [...]' this particular community had been faced with (op. cit. 6). Inspired by German Romantic writers, the idea of *volkseie* was progressively adapted to talk of *volk* until 'by the 1960s the language of volkism was virtually absent from NP discourse. It was now replaced by a discourse of multi-nationalism, considered to be more suitable to the 'realities' of the South African situation' (op. cit. 185 & 186). From the late 1960s onward, eventually leading to a break within the National Party, two camps could be made out for the different ideological *laagers* into which the Afrikaner community had settled: *verligtes*, meaning relatively liberal and *verkrampste*, highly conservative (op. cit. 188).

Although a hegemonic discourse, which once the attempts to facilitate consent have failed, exercises domination (op. cit. 4), the apartheid discourse, from the 1970s on proved to be challenged by the emerging Black Consciousness movement. Effectively, the National Party replaced the term Bantu and adopted black instead (op. cit. 197). Towards the 1980s, '... appeals to whites were made on pragmatic grounds. For example, calls for the acceptance of change were made in the language of 'decency' and 'politeness to others' (op. cit. 208). More and more, efforts were made to address and maintain '... a 'national' (white, Afrikaans and English) identity...(op. cit. 209). Most significant, however, was that

from the mid-1980s onwards, NP discourse was openly haunted by the figures of resistance, forcing Nationalists to express their failing project in terms of justice and fairness, the language of rights and of citizenship, making a mockery of these terms. What began as a project of transformism ended in a state of disarticulation and crisis. Despite this, the terms in which the apartheid imaginary's expansion was articulated - involving a shift from a language of separate and parallel development to one of consociational pluralism - introduced a vocabulary which

would yet have a long future ahead of it, for it provided much of the basis upon which negotiations during the 1990s would take place. In this sense the discourse on pluralism, introduced at the very moment of the failure of the apartheid imaginary, opened onto another future in which it would delimit much of the terrain of political debate (op. cit. 218).

Against this background of a party history that once was responsible for producing and imposing a hegemonic discourse, that operated by means of 'dislocations' and exclusions, finger-wagging total strategists, and as the TRC brought to light, applied a whole surgical toolkit of phrases mainly uttered in Afrikaans to set in motion the apartheid death squads. How to face the ceremonial nature of the event and what audience to address? What values to make reference to? Although the NNP had previously made speeches on the subject, this joint sitting was significant in that it was such a long event, gave the NNP fifteen minutes and would be the last event held at Parliament focusing on the TRC's work and necessary reparations.

Farrell explores the question of how to speak about the past, whether to raise matters about conscience and responsibility, what voice and what tone to adopt and what style to avoid when analysing the case of Philipp Jenninger, former Speaker of the *Bundestag*, who came to lose his audience and even his job by alienating his audience during the *Kristallnacht*²⁷⁵ commemorative event in 1988.²⁷⁶

rhetorical moment

Of all the twenty-seven speakers that were to address the Joint Sitting on 15 April 2003, as the former apartheid state's ruling National Party's successor, the NNP could be regarded as being rhetorically most challenged, especially given the absence of a rhetorical situation. In a similar position as the former Eastern Germany's *Sozialistische Einheitspartei Deutschlands* (SED), which reconstituted itself as *Partei des Demokratischen Sozialismus* (PDS), the NNP, albeit the promise of innovation encapsulated in the "new" placed in front of the previous, has its roots in the apartheid past. What would the NNP then stand for and say on a day in Parliament that was to mark the final report of the TRC? Not only was the NNP among the parties that posed legal challenges to the commission's work, it has no heroes to praise and with FW de Klerk having taken the TRC to court twice, it would easily be viewed and rejected as implausible and unfitting by the audience. Discussing the arguments Tutu brought forward in favour of the establishment of the TRC, Salazar concludes:

²⁷⁵ On the night of the 9th/10th November 1938 Nazis burnt down synagogues and Jewish properties throughout Germany. Due to these pogroms, the 9th November did not become German national holiday, after the Berlin Wall came down that same day in 1989 and former East and West Germany were reunited.

²⁷⁶ Jenninger was speaker of the West German Parliament 1984-1988.

in purely practical terms, when there is a *stasis*-dissent-one must look for a common language. *Homonoia* is based on *homologia*. The TRC also created a new vocabulary, one that is now pervasive in the political lexicon, both in South Africa and in other fractured democracies (Salazar 2002, 82).

Significantly, Antjie Krog, who published her experiences as a radio reporter covering the TRC in *Country of My Skull*, subsequently wrote a book entitled *A Change of Tongue*. Part of this analysis will focus on the *topoi* van Schalkwyk, the NNP speaker employed, and establish if and how references to the TRC are made, how such terms as reconciliation, forgiveness, past are used etc.

type of speech

The focus of the Joint Sitting are the recommendations put forward by the TRC with regard to reparations and further prosecutions. For the NNP this is not a celebratory moment. Van Schalkwyk steers away from offering an apology or defending the crimes committed under the rule of his party's preceding leaders. Although he does refer to the past and acknowledges the 'injustices and the oppression of apartheid'²⁷⁷, most of the speech is dominated by deliberative discourse aimed at shaping the future: 'be part of building our common future'²⁷⁸. By making concrete suggestions on reparation policy the NNP speaker argues in favour of the most expedient. The examples van Schalkwyk provides (May Abrahamse and Gary Boshoff) achieve for forensic, deliberative and epideictic discourse to overlap: honouring Abrahamse's and Boshoff's talent and by doing so, acknowledging the past he is "new nation-building".

taxis

The NNP used the fifteen minutes it had been allocated with for one single speaker, the then Premier of the Western Cape, Marthinus van Schalkwyk, who following Alec Erwin's speech, spoke as the seventh speaker, relatively early. The speech was divided into altogether thirty-two paragraphs, two of them delivered in Afrikaans, and ranging in length from four to twelve lines, most frequently, however, on average eight to nine lines long, which is in line with a steady pace and an even speech, with no dramatic climax, but two pivotal points when the speaker resorts to quoting Mandela and thereafter Mbeki, both unexpected moves. Following the *exordium* in the first paragraph in which Van Schalkwyk tries to establish common ground, he then pursues to interweave paragraphs referring to the past and the TRC's work, with the present. After complementing the Commission on the work accomplished, paragraph seven marks his *refutatio* and the introduction of an alternative approach to the past, namely

²⁷⁷ Hansard op. cit., (Tape: 361 Disk: 102 Take: 1.2)

²⁷⁸ Hansard op. cit., (Tape: 361 Disk: 102 Take: 1.3)

circumventing it and in a similar way as de Klerk when he appeared at the TRC: ' [...] de Klerk, testifying to the Truth and Reconciliation Commission, offered an apology of sorts for the evil effects of apartheid, without actually apologising for apartheid itself' (Chivers in: Cape Times 22 October 2004, 11). Paragraphs eight to twelve contain Van Schalkwyk's display of goodwill and efforts of *Wiedergutmachung*²⁷⁹. The five following paragraphs is a *confirmatio* and responds to the need to "make good again" by dealing with reparations. Incorporated in these deliberative sections, is a highly epideictic eighteenth paragraph, which follows the quotes borrowed from Mbeki and Mandela. After expanding the concept of reparations from the physical to the spiritual realm, including all who are in need of reparation, effectively shifting away from the specific framework of the TRC. While in the paragraphs twenty-one and twenty-two the speaker makes specific policy suggestions, from paragraph twenty-three, Van Schalkwyk repeats himself and in the process his arguments become weaker and more polemical, responding to popular fears. Toward the end, reiterating the pledge made earlier and providing evidence to bolster his ethos, he tries to keep a balance in his conclusion that resembled the *exordium*.

pisteis

Van Schalkwyk's speech is marked by an attempt to avoid reactions of the nature and intensity as the IFP speech did and appeal to his own party members as well as the majority party. The speaker, with considerate success, resolves this dilemma by making emotional and ethical appeals to both sides. Corbett notes that 'the kind of description calculated to stir emotion in the audience must appeal to the imagination, and the imagination can be seized in this kind of word-painting by the use of sensory, specific detail' (Corbett op. cit., 89). Given the ceremonial nature of the event, van Schalkwyk alluded to values. To avoid controversy, he chose universal values such as heroism. Van Schalkwyk also hints at Afrikaner history and strong cultural roots and by offering an image of the former pioneering people 'with its feet firmly rooted in our past, and its gaze fixed on our future, [...]'²⁸⁰ he pays tribute to the past and cultural values and offers a vision for the future. Quoting Mandela has the effect of an emotional appeal and is substantiated by words that refer to emotions or are emotionally charged: 'sentiment', 'sentiments' (twice), 'noble' and 'respected'.²⁸¹

²⁷⁹ English translation: The literal translation is to make good again; the term means compensation but features in various areas: within the religious context, translates as atonement, politically translates as reparation, legally it refers to redress.

²⁸⁰ Hansard op. cit., (Tape: 361 Disk: 102 Take: 1.1)

²⁸¹ Hansard op. cit., (Tape: 361 Disk: 102 Take: 1.7)

topoi

The NNP speaker frequently uses the *topoi* of past fact and future fact, common good, unity and nation-building. Instead of establishing fault lines and racial partitions as its fore-runner did, the NNP having lost power embraced most of the ANC's policies, as well as discourse: 'The TRC has assisted us, once on different sides of history, to today be part of building our common future'²⁸²

Among the common topics, in order to provide his audience with an effect of authenticity, van Schalkwyk gives two examples that both his immediate, as well as the broader audience, beyond the National Assembly could identify with: a performer from District Six²⁸³ and a rugby player from the *Boland*²⁸⁴, both having in common great talent and values such as commitment, generosity and patriotism as well as hailing from the province of the Western Cape.²⁸⁵

lexis

The number of sentences of the NNP speech amounted to eighty-three, of which only few are succinct and as clear as in the second paragraph when the speaker expressed his gratitude towards the truth commission. Others can be found in the sections that sum up the eventual success stories of May Abrahamse and Gary Boshoff, as well as part of the peroration: 'Now we must live that commitment'.²⁸⁶ For large sections of the speech, however, long, complex at times convoluted sentences predominate, giving the impression that the speaker was concerned about not getting his point to his audience, and hence did not easily get to the point either. He often adds more terms than necessary or over-emphasised others: 'true reparation', 'restoration of *real* human dignity' and 'once-off reparations are never sufficient *in, and of, themselves*,'²⁸⁷; similarly, the superlative most appears frequently: 'one of the *most* talented',²⁸⁸ '*most* basic level', '*most* urgently'²⁸⁹ and 'the *most* important means

²⁸² Hansard op. cit. (Tape: 361 Disk: 102 Take: I.3)

²⁸³ Area in the city bowl of Cape Town, which used to be a vibrant and "mixed" neighbourhood (in close proximity to Parliament), before its residents were forcibly removed by the apartheid government and the area bulldozed. Some of the former residents who have been able to claim back their properties are starting to move back into the still mostly barren area.

²⁸⁴ District in the hinterland of Cape Town – famous Winelands and Rugby stronghold.

²⁸⁵ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.4)

²⁸⁶ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.12)

²⁸⁷ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.7)

²⁸⁸ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.4)

²⁸⁹ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.7)

of achieving...²⁹⁰ [my emphasis]. In some instances this leads to tautologies, such as 'real human dignity'²⁹¹.

Van Schalkwyk from the first paragraph onwards invokes the past in broad and general terms in order to construct a common experience, a collective memory: 'our past', 'our first decade of democracy', 'our future', 'as a country we' etc. Just like Mbeki, his aim is to create sense of unity, by means of numerous pronouns ('we', 'our') effectively also "troping the people" – the same people?

Another trope used to create the same effect, as well as 'to stir the emotions' (Corbett 1990, 450), is *prosopopoeia*: 'as a country we have been...'²⁹², 'as a nation, our thanks...'²⁹³, 'the TRC opened our eyes'²⁹⁴ etc. The *litote*, the trope to use to effectively understate facts, is the one van Schalkwyk uses to diminish the work done by the TRC: 'It was always too high a standard...'²⁹⁵ Schalkwyk also uses *meiosis* and effectively circumscribes issues. By means of *rogation*, a trope used twice ('In asking: "What now for reconciliation in South Africa?"')²⁹⁶ van Schalkwyk increases the attention of his audience. After raising a question on the matter of reconciliation, the speaker does so again on the topic of reparations: 'How best can we correct the imbalances of the past, particularly for those victims....?'²⁹⁷ Ottmers states that such 'Q & A' figure in 'attacking-polemical or ironic styles' (Ottmers 1996, 184).²⁹⁸ Significantly, van Schalkwyk used many terms related to figures: 'one part of the story', 'another part', 'one of the most talented', 'countless young people', 'one of the most talented and exceptional'²⁹⁹ as well as 'experiences of thousands'³⁰⁰ Adverbs such as 'particularly', 'specifically', 'exactly'³⁰¹ are part of the speaker's effort to be clear and precise, ultimately understood. Adjectives serve to establish common ground unlike a divided past, to fashion a state rather than activities: 'shared future', 'different strands', 'common history', 'joint future'.³⁰²

In line with the ceremonial nature of the event, van Schalkwyk referred to values, as well as emotions, and in the most dramatic section of the speech (paragraph eighteen), a number of terms relating to feelings, as well as heroism were employed: 'sentiment', 'sentiments' (twice), 'noble' and 'respected'.³⁰³

²⁹⁰ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.8)

²⁹¹ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.7)

²⁹² Hansard op. cit., (Tape: 361 Disk: 102 Take: I.1)

²⁹³ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.2)

²⁹⁴ Hansard op. cit. (Tape: 361 Disk: 102 Take: I.3)

²⁹⁵ Hansard op. cit. (Tape: 361 Disk: 102 Take: I.1)

²⁹⁶ Hansard op. cit. (Tape: 361 Disk: 102 Take: I.3)

²⁹⁷ Hansard op. cit. (Tape: 361 Disk: 102 Take: I.8)

²⁹⁸ German original: 'Kommt es zu solch einem inszenierten Frage-und-Antwortspiel, spricht man von einer *Subiectio*, die meist auf einen kämpferisch-polemischen oder ironischen Redestil verweist.

²⁹⁹ Hansard op. cit. (Tape: 361 Disk: 102 Take: I.4)

³⁰⁰ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.5)

³⁰¹ *ibid.*

³⁰² Hansard op. cit., (Tape: 361 Disk: 102 Take: I.10)

³⁰³ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.7)

Furthermore, van Schalkwyk used some evocative terms to refer to the pioneer past which marks Afrikaner culture and the connection to the land: 'With its feet firmly rooted in our past, and its gaze fixed on our future, [...]'.³⁰⁴

References made to the TRC often are 'TRC process', process being in line with the trope of transformation which has been appropriated by a variety of sectors, ranging from research, to business, the media, the advertising industry and literature.³⁰⁵ "Processing" the TRC also leads to a temporal disjunction, which is reflected in the choice of tenses: in order not to "talk past", van Schalkwyk shifts back to the present, where he is more at ease with his own voice and where he can provide evidence for his commitment to nation-building.³⁰⁶ Not surprisingly, more than half the speech is set in the present or looking toward the future, in paragraph twenty, the progressive form is used to demonstrate how nation-building is done. Following the NNP "everynationbuilder's manual" for re-building a nation, 'ensuring', 'ongoing', 'rooting out poverty and creating jobs', 'empowering our future generations'³⁰⁷ etc. It needs to be pointed out that van Schalkwyk draws from the same stock of terms as does Mbeki and also "hyphe-nation": 'post-TRC period'³⁰⁸.

analysis

From the outset, van Schalkwyk was trying to manoeuvre a discursive tightrope by trying to achieve a parallel effect with his speech act: touch on the past because he could not fail to do so, but as often as possible, look into the future and address his immediate audience, as well as his support base. Right from the first paragraph³⁰⁹ onwards, approaches these challenges by invoking the past, but in a very broad and general way, and creating a sense of unity, by means of numerous pronouns ('we', 'our') placed in such a way that they help to construct a common experience, a collective memory: 'our past', 'our first decade of democracy', 'our future', 'as a country we' etc. The key terms of this paragraph are 'straddled' and an alliteration ('sometimes'), deflecting the full impact of emotionally otherwise uncompromising terms, 'outraged', 'shocked' and 'ashamed' and the emotional roller-coaster the TRC led to board the nation. Straddled is furthermore an interesting choice of word, in that it situates the TRC in a time and space of its own, suspending it across 'the historical divide between the old and the new South Africa', feet although 'firmly rooted in our past', wide apart. It also sounds close to 'saddle', which may convey that even after this tumultuous trek, Afrikaners have not been thrown off. The most noteworthy aspect of his diction is its military connotation, which describes dropping bombs or shots

³⁰⁴ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.1)

³⁰⁵ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.5)

³⁰⁶ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.3)

³⁰⁷ Hansard op. cit., (Tape: 361 Disk: 102 Take: I.8)

³⁰⁸ Hansard op. cit., (Tape: 361, Disk: 102, Take: I.7)

short or beyond a particular point. Against the backdrop of an incredibly militarised society, tapping this register and aligning it with 'feet', 'roots' and the 'past', tinges it with shades of the era of pioneers and of *bushveld*, which would strike a chord with many Afrikaners, especially those who lived their formative years under apartheid times, when many white citizens practised on shooting ranges, were members of civil defence units. The use of 'sometimes' must then be seen in relationship to 'straddled', as the TRC did 'sometimes' succeed in producing evidence, emotional reactions and a sense of community with the victims that allowed all South Africans to regain their humanity: 'we have marvelled at the strength of the human spirit'.

The divide described in the first paragraph in abstract and visionary terms, in the second paragraph³¹⁰ becomes more material, a scale, a measuring device, a flipchart onto which the results of a firm's audit are displayed: 'make an honest evaluation' and the suggestion that 'it was always too high a standard to expect from the Commission to achieve 100% truth or 100% reconciliation.' By means of a *litote*, he raises the stakes so high, that he naturally demotes the TRC's work which missed this target. Using figures and percentages, he seems to suggest that levels of truth and reconciliation are like quotas, or *Matric*³¹¹ rates, or elections. One hundred per cent is unlikely often amounting to cheating or rigging... Although research to probe in how far truth leads to reconciliation undertaken by Gibson found '... that at least some degree of reconciliation characterises South Africa today; and that the collective memory produced by the process ("truth") did indeed contribute to reconciliation' (Gibson 2003, op. cit.) he consistently makes reference to 'degree' of reconciliation but never of a quota or total target that could be met. Nevertheless, Van Schalkwyk concedes to the commission ('in many respects', 'although', 'yet') that it did 'play a critical role in normalising our approach to life' and – again by means of a technical term – supports the notion that it 'provided a release valve for much of the hurt, pain, anger and anguish which resulted from the injustices and the oppression of apartheid'. This time, he chooses to not qualify emotionally charged terms like 'hurt' and 'pain', leaving them free floating like meteors around the black hole at the end of the paragraph: 'apartheid'. As if to do damage control, as soon as van Schalkwyk has uttered the word apartheid, he switches to Afrikaans. Although he once again chips at the commission's work – '*nie 'n volmaakte proses*'³¹² – he is very clear in ascribing the commission a role as vital as the negotiations in establishing 'the new democratic South Africa' ('*die nuwe demokratiese Suid-Afrika*'). His Afrikaans audience, it seems, needs to be provided with explanations, needs to hear why the commission and a truth process were essential, that 'the real meaning of the TRC does not lie in its findings and recommendations only, but also in the fact that the Commission was able to take its course.'

³⁰⁹ Hansard op. cit., (Tape: 361 Disk: 102 Take: 1.1)

³¹⁰ Hansard op. cit., (Tape: 361, Disk: 102, Take: 1.1 & 2)

³¹¹ Short for Matriculation, South African school-leaving and university-entrance certificate.

³¹² *ibid.* English translation: not a perfect process

The fourth paragraph, the second of two delivered in Afrikaans, should be reproduced in its entirety, in order to highlight how van Schalkwyk himself straddled to utter an open and democratic discourse, and how limiting and hence prescriptive concepts of the past seep in:

*In ons land waar ons uit verskillende agtergronde kom, sou die proses om verskillende ervarings met mekaar te versoen, en waardering daarvoor te skep, altyd 'n pynlike, maar ook soms 'n kontroversiële ervaring wees. Die WVK het daartoe bygedra om die fondament te lê waarop bruin, swart, wit en Indiër kan bou aan 'n gesamentlike toekoms.*³¹³

It is telling that he uses the same racial group categories the old apartheid regime employed, revealing how difficult it is for many South Africans to talk about each other without using racial attributes, avoiding to buy into the previously established discourse. German philologist Victor Klemperer after studying *Lingua Tertii Imperii* (language of the Third Reich), observed how people would draw conclusions 'vom "kämpferischen" Wesen der Demokratie'³¹⁴ in the *Entnazifizierungs*³¹⁵-post-war era, amalgamated the same *topoi* and retained some terms such as rooted in the fascist past (Klemperer 1975, 20).

It can be expected that the reason for using Afrikaans for only two out of thirty-two paragraphs is related to the audience and media present that day, however also the violent past of South Africa being fluent in Afrikaans, which even before the Soweto school riots³¹⁶, was labelled "language of the oppressor". Krog renders her own dilemma:

"How do I live with the fact that all the words used to humiliate, all the orders given to kill, belonged to the language of my heart? At the hearings many of the victims faithfully reproduced these parts of their stories in Afrikaans as proof of the bloody fingerprints on them" (Krog in: Sparks 2003, 134).

The past lying behind, the essential milestone TRC being positioned in a realm beyond the present, the result is a new nation ('a nation') being built that owes its gratitude to the commission: a statement that leads the audience to applaud the NNP speaker. Interestingly, van Schalkwyk uses a whole paragraph to establish distance and to construct the ground to raise criticism toward the TRC's work. By means of a careful scale ('either', 'or', 'different sides'), and mentioning of 'observers' who would inevitably be viewing the TRC spectacle, he uses these 'observers' and the apparently unavoidable fact that they would be critically disposed toward the commission's work. It can be contested, whether this was really the case, 'observers' would critique the TRC, however, what is more significant, is how the speaker

³¹³ Hansard op. cit., (Tape: 361, Disk: 102, Take: I.2)

English translation: In our country, where we come from different backgrounds, the process of reconciling the various experiences with one another, and creating an appreciation for it, would always be a painful, but also sometimes controversial experience. The TRC contributed to laying the foundation on which brown, black, white and Indian can build together on a joint future.

³¹⁴ English translation: of democracy having characteristics of a fighting, battle-waging nature

³¹⁵ English translation: Denazification. Process which for some Germans entailed imprisonment when found guilty of crimes of commission and omission, loss of property and employment, being barred from exercising public duties, stripped of certain civil rights, such as voting.

³¹⁶ Soweto is the most famous and biggest of South Africa's townships. It is also the site of the 1976 student revolts, in the wake of which many activists went into exile, some to join the liberation armies.

creates an entry to pitch his critique, namely by giving two negative options to sum up the commission's work: 'biased' or 'irrelevant'. Uttering constructive criticism, let alone appraisal does not enter the equation. The TRC's work became labelled 'a significant service' and to describe the lapse of time since the commission undertook its work, van Schalkwyk refers to 'a decade after the fact', the latter terms aiming at shifting the commission from an emotionally charged stage, to a rational, logical setting. Clearly, the speaker seems to struggle, possibly due to not speaking in his mother tongue, or feeling challenged in findings and matching words, shaping the message and an appropriate style, which the expression 'after the fact', thrown in also reveals. The rational scale entails that addressing the past, is immediately followed by strengthen 'our future resolve', criticism is balanced out by 'a significant service' and to sum up the quality of the 'service' rendered: 'the TRC has assisted us, once on different sides of history to today be part of building our common future.' A subtotal of his effort is contained in one sentence, the *topoi* of past fact and future fact, common good, unity and nation-'building'. Instead of establishing fault lines and racial partitions as its fore-runner did, the NNP having little power, difficulty in even having a say, at this stage shifted its discourse significantly. Formerly playing an active role, realising Verwoerdian³¹⁷ grand apartheid architecture and enforcing Group Areas, the NNP now is reduced to be part of, one of a number of minor building blocks, and every brick needs to be argued and justified.

Paragraphs six and seven³¹⁸ represent the *refutatio*, the two instances where van Schalkwyk addresses shortcomings made by the TRC in a cautious way ('the New NP has also certainly been critical of some aspects of the this process...'), again using the same tactics as before, mathematical and measurable qualifiers ('on balance', 'outweighed') next to vague, undefined nouns and adjectives: 'incidents', 'issues', 'individual experiences', 'innocent victims'. It is, however, important to consider that until the day of the joint sitting, the ANC was not clear, whether some having paid immensely high prices for liberating all, should indeed receive reparations and to how much these would amount to. From the other end of the political spectre, the DA proposed to look at the issue of harm and to finally pay out reparations. The NNP's speaker, would later on make some suggestions and give his support to the suggestions made by the President. He did however, circumvent naming any victims, or being specific about any of the 'individual experiences' he alluded to. It is quite likely that any names would have begged the question, why mention them and not others. Furthermore, however, this may have come to be understood as a turn around from the NNP's often hostile stance toward the commission's work and as such, as an accidental apology, caused anger from more sides than merely its support base.

³¹⁷ Hendrik Verwoerd, Prime Minister of South Africa from 1958-1966, who in the 1950s spoke of *aparte ontwikkeling* (separate development) and once in power, institutionalised *apartheid* (Fisch 1990, 289).

³¹⁸ Hansard op. cit., (Tape: 361, Disk: 102, Take: 1.3)

From crimes and victims that remain unnamed, the speaker strategically shifts to another realm of silence: 'the hundreds of thousands of untold experiences' 'the TRC did not reveal, because it could not'. Breaking this silence and crushing feelings of numbness, alienation and confusion he knew many of his supporters were known to have, van Schalkwyk asked "what now for reconciliation in South Africa?" and in producing an immediate answer, changes his initial past-looking gaze to pause and examine the present, and subsequently peer into the future. From this point onwards, the TRC and its reports that should be focal points of the joint sitting are shifted aside. Giving his audience a direction, a lead to follow, he proves his leadership skills and creates his ethos. Using the voice of someone else, as indicated by the use of direct speech, creates an extra distance, a sort of discursive buffer, that would save van Schalkwyk from using figures of speech like irony, that would alienate the audience, as in the case of Jenninger, where as stated by Farrell:

There is no refuge in the privacy of conscience. Even on this commemorative occasion, personal guilt is a public matter. This may well be why the speech gives the distinct impression of having invaded cultural privacy in a public space (Farrell 1993, 315).

The implication of these silent pockets and this 'lets roll up the sleeves now and get down to nation-building' approach is however that it demotes the TRC process, fails to recognise that there were indeed categories the commission came up with, to qualify implication and guilt, to make a distinction between victims of gross human rights violations and victims of the structural violence of apartheid. The latter category did indeed comprise of 'hundreds of thousands', the former did not; acknowledging dismal education is shielding away words like death squads, wet bag, or the *Tausa*³¹⁹. The TRC did uncover the truth about the killing of the *Gugulethu Seven*³²⁰, the *Cradock Four*³²¹, it did indeed restore the dignity of victims, it provided letters, words and names to silences and atrocities, secrets and lies, allowed for sounds, screams and cries to break out, in some cases gestures and painful catharsis. By speaking of 'hundreds of thousands' these individual monuments the TRC established, the pieces recollected in the mosaic of a collective memory being build are all bungled together, victims stripped of their individualism, as if there ever could be collective guilt. On the other hand, van Schalkwyk, may quite likely have alienated his audience and support base and shared Jenninger's fate, had he mentioned Matthew Goniwe, Steve Biko or Dulcie September's or any other case of gross human rights violation commissioned and committed under apartheid. A political apology, an admission of guilt, especially when the crime lies outside the realm of words, usually is only possible by a recourse to gesture, careful choice of space, rituals and symbols at the right place and at the right time, enabling the unspeakable to

³¹⁹The practise of *Tausa* was one of the worst indignities. Naked prisoners had to jump in the air, clap their hands and land crouching so that warders could inspect their anuses for any hidden items.' *A Journey Through Constitution Hill*, publication by Johannesburg Development Agency, 2005.

³²⁰ Seven youths from Gugulethu, a township outside Cape Town, were set up by policemen and members of the notorious special branch. The TRC's investigative unit uncovered the dockets and managed to reconstruct the case.

³²¹ Well-known activists Matthew Goniwe and Fort Calata, active around Cradock in the Eastern Cape, were murdered in June 1985 together with Sparrow Mkonto and Sicelo Mhlauli. The case became known as the Cradock Four.

be less didactic but gain in visibility, the visual aspect making it a very complete and broad experience, still deeply emotional and personal. One famous example is Willy Brandt's *Kniefall zu Warschau* his kneeling in Warsaw and signing a Polish-German treaty, the *Ostvertrag*, acknowledging Poland's territorial integrity (http://zeus.zeit.de/text/archiv/2000/50/200050_nizza1.xml accessed 22.3.2005). It was a silent gesture, in a highly emotionally charged space, at the Warsaw ghetto uprising memorial, at the height of the bi-polar world order, in 1970. Thirty years later, the approach made by Brandt still serves as a basis for Polish-German relations. Aimed at a universal audience it spoke to everybody but in non-prescriptive terms, abstaining from adopting one position or a dialogue, it was the catalyst that would invite the audience to breathe words into the image, enticing it to accept a humble sign of respect. Farrell indicates that '... when the crimes unfathomable and the stain indelible, no conventional forum can contain the discourse' (Farrell 1993, 309). Unable to sustain the claim to collective guilt, to capture, to "en-phrase" the past, van Schalkwyk shifts back to the present, where he is clearly more at ease and able to speak in his own voice and where he produced testimony to his commitment to nation-building, as pledged earlier on. While the past was equal to racial categories, the TRC redefined it and drew up new categories of perpetrators, victims, collaborators and bystanders, but most importantly, individual human being. What the past ruled out and excluded is made present in two examples: May Abrahamse and Gary Boshoff. Van Schalkwyk produced these two examples to bring alive the impact apartheid had on individuals' lives and shows how the present allows for amends to be made to daily-life heroes and for responsibility to be taken up. The examples he chose were such that both his immediate, as well as the broader audience, beyond the National Assembly could identify with: a performer from District Six and a rugby player from the Boland, both having in common great talent and values such as commitment, generosity and patriotism as well as hailing from the province of the Western Cape. May Abrahamse taught 'countless young people from disadvantaged backgrounds' and Gary Boshoff declined a great opportunity 'to play in the Oxford-Cambridge Derby' due to his 'personal commitment to Saru'³²². In between these two testimonials, the speaker enhances his own ethos, by reporting that May Abrahamse had recently received 'provincial government honours for her lifelong achievements and dedication', van Schalkwyk was at the time premier of that province. In the case of Gary Boshoff, not merely the fact that he was a great rugby player and an even better patriot was crucial, but that this player turned down an offer from England. Even a century after the Anglo-Boer War, Afrikaner-English antagonism does manifest itself in South Africa – especially on rugby fields and in other sports arenas. Gary, as van Schalkwyk called him in rugby mate camaraderie, also has been rewarded. 'Defining by example (...) a favourite device of preachers, orators, and teachers' according to Corbett should as far as possible 'be stated positively' (Corbett 1990, 42 & 43). With regard to the persuasive value of examples, he states the following:

³²² South African Rugby Union

An argument by example does not really prove anything, for like the rhetorical *enthymeme*, the example leads, most of the time, to a mere probability. But because a probability is what usually happens or what is believed to happen, the example has persuasive value (op. cit. p. 69).

Producing a limited amount of examples does make these vulnerable to counter-attacks and refutation. These contending reactions

... will be decided by a complex of attendant considerations: (1) the relative impressiveness and pertinence of the conflicting examples; (2) the persuasiveness of the other arguments offered in support of the contention; (3) the persuasiveness of the style of the discourses; (4) the "ethical appeal" of the two people offering examples; (5) the force of the "emotional appeals"; (6) the emotional climate of the times (op. cit. p. 70).

Although the above cited examples are positive, aimed at manifesting the good will of the NNP, enhance the ethos of its speaker and make amends for the past, they also pose a problem due to their reliance on concrete values.

A concrete value is one attaching to a living being, a specific group or a particular object, considered as a unique entity. There is a close connection between the value attached to what is concrete and to what is unique: by displaying the unique character of something we automatically increase its value (Perelman & Olbrechts-Tyteca 1969, 77).

The implication of this are laid out to be driven by conservative motives, '[...] when one wishes to preserve [...]'. The notions of fidelity, loyalty, and solidarity, which are connected with concrete values, do in fact often characterise conservative argumentation' (op. cit. 79). What is problematic in van Schalkwyk's account is that the building blocks of his argumentation are "noble others". This view, not only conservative and patronising, is diametrically opposed to current notions of empowerment and up-liftment, creating the conditions necessary to bring out the May or Gary in every South African. Van Schalkwyk, repeatedly (four times altogether) alluded to the 'thousands' of 'untold' stories the TRC did leave out and cases such as May Abrahamse and Gray Boshoff led him to proclaim that 'every day in South Africa is about truth and reconciliation [...] and we all have a collective and a personal role to play in this regard'. It will require a shift to embracing all "others" as a collective and not only the best, the most talented, patriotic and loyal into avoid what otherwise amounts to once again, a hegemonic discourse and enact what Tutu states in the conclusion of his foreword to the TRC report: 'Ours is a remarkable country. Let us celebrate our diversity, our differences. God wants us as we are. South Africa wants and needs the Afrikaner, the English, the coloured, the Indian, the black. We are sisters and brothers in one family – God's family, the human family' (TRC report Vol. 1 chapter 1 op. cit., 22).

By the thirteenth paragraph, the speaker delved into the issue of reparations, which was one of the main concerns of the TRC's reports, which made clear recommendations. In the same manner in which he had previously sublimated his voice, by delineating silences or using quotes, van Schalkwyk on presenting his party's position on reparations, did a remarkable thing: he paraphrased and then even quoted the former President, Nelson Mandela. This not only allowed him to utter words such as

'transformation' and 'human rights' but also claim a few slivers of the mighty ethos of Mandela and then in the eighteenth paragraph, repeated this tactic by quoting the current President, Mbeki. The space in between these two quotes served to insert a brief, cautious and independently formulated NNP policy, before resorting to pledge support to the ANC's stance as expressed by Mbeki. In the post-apartheid transitional context, as Singh wrote in 1992,

the notion of "transformation" is fast gaining political coinage as the appropriate term to describe both the general character of the conjuncture as well as the nature of specific progressive interventions on different terrains in South Africa (Singh in: Transformation 17 1992, 48).

What Singh predicted then,

through its frequent use, transformation is acquiring, contradictorily, both an obviousness and a mysteriousness that is making it into a rather slippery notion. (...) Its gain in popularity may be accompanied by a problematic gain in generality and fuzziness in a way that threatens the very specificities that the term is intended to signify' (op. cit. 49)

She also contends that 'the proponents of transformation would do well to accept the fact that the notion of transformation – its terrain, its framework, its goals, its content and its strategies – is itself up for contestation (ibid.).

In light of the above, quoting Mandela means not only speaking in the voice of someone else but buying into a multi-faceted concept:

central to the way in which transformation is often utilised is the presupposition that it is the reconstructive moment rather than the oppositional which gives transformation its determining identity. (...) The reconstructive moment is itself grounded in a network of principles or values that are seen as crucial to any authentic transformation. Some of the most prominent of these are, for example, that it involves fundamental deep-rooted restructuring rather than adjustment/modification of the status quo, piecemeal tinkering, reformism, band-aid patching up; that it involves a re-organisation of power relations and an irreversible shift in the balance of forces in the directions of the previously disempowered; ... (op. cit. 51 & 52).

More dramatic is the quote of a speech given by Mbeki which leads to van Schalkwyk rendering an account of the liberation struggle, so that he adopts the voice of an insider ('our people'), which previously had been a uniting call of all South Africans: 'no genuine fighter for the liberation of our people ever engaged in struggle for personal gain.' Surprisingly enough, there were no interjections to this manoeuvre, in which Mbeki's statement became a screen onto which the speaker ended up projecting his own and his people's sentiments: 'those of us who have not been part of this liberation struggle cannot pretend to fully understand the sentiment, but coming from a people who have been part of a liberation struggle, I recognise the sentiments.' With regard to the historical experiences of Afrikaners being compared to the liberation struggle of South Africa's majority non-white population,

van Schalkwyk effectively proved that 'the comparison can bring together two terms which were considered, with good reason, to be incommensurable' (Perelman & Olbrechts-Tyteca op. cit., 243).

Van Schalkwyk throughout paragraphs thirteen to twenty-one, aligns his party's position to the ANC's, creating common ground by means of quotes or terms borrowed from statements previously made by either Mbeki or Mandela. repeatedly aimed at conveying to the audience that indeed, the NNP was now talking the same language as the ANC. By employing the same words, however, embedded in an awkward style, it does sound the same, but does it really mean the same? Mandela, whom van Schalkwyk echoes in his speech, took a remarkable approach to the speech he gave at the opening of Parliament in 1994:

Mandela resorts to the well-trodden semantic paths of "integration, capacity-building, intervention, partnership, and cooperation." He also uses terminology that is marked by its reversibility (the same terms were used by the apartheid régime); this signals the distance between *homologia* and *homonoia*. Words that may mean something quite different here mean what they are intended to mean, because they are subsumed into a fiction. In other words, the language of political planning, used by Mandela and hailed by political analysts as "realistic, pragmatic and challenging," is merely a rhetorical ploy to draw people in, and to make the "vision" acceptable, given that it is one that not everyone shares ... (Salazar 2002, 25).

Cassin states that '*... cette réassurance du langage sur ces bases sémantiques et pragmatiques produit un langage commun*'.³²³ It furthermore leads to a shift from the individual to the communal, effectively the '*constitution d'un "avec", d'un "ensemble"...*'³²⁴ (Cassin 2001, 1)³²⁵. Buying into Mandela's strategy and wording then becomes a pledge to be 'with', be 'together', be 'one' just as the slogan of the national television station's first channel using '*Simunye* – we are one' as a nation. This is a case of vintage Mandela to be quoted by the successor party to the one that incarcerated him for twenty-seven years, that enforced the separation of people of different "race" to live apart, to now be asking for admission, in a way, and pledging support for the new South Africa. For van Schalkwyk, who uses Mandela as a medium, the challenge is significant to still represent an autonomous NNP stance. It is not surprising to find paragraph nineteen peppered with terms that try to convey a clear message: 'essence' used twice, 'sentiments' used once but in the previous paragraph twice tried to tap emotions, refutations aiming at ruling out what the NNP does not aim to do ('... is not to downplay... nor ...') followed by 'at the most basic level' and then in the next sentence '... the only lasting solution...'. This effort is so exaggerated that it however becomes almost absurd. According to the NNP speaker, '... what South Africa needs, most urgently, in the post-TRC period, is a true reparation of the spirit. The restoration of real human dignity...'. The mumbo jumbo of terms such as 'reparation', 'restoration', values such as 'human dignity', the adjectives 'true' and 'real' all are meant to be associated with the TRC and more significantly so, the 'post-TRC period'. The latter term is not one generally used, what is rather frequently used is

³²³English translation: this reinsurance of language on its semantic and pragmatic bases leads to a shared, common language.

³²⁴ English translation: a "with", a "together" is being constituted.

³²⁵ *Politiques de la Mémoire Des traitements de la haine*, published in *Multitudes*, 6, September 2001, pp. 177-196; paper kindly made available by Professor Salazar.

'post-apartheid era' which leads to a problematic parallelism between the TRC and apartheid, similar to the relationship established between the liberation struggles of Afrikaners and those oppressed by apartheid. The result of not using the term apartheid, instead switch to euphemistic constructions such as 'legacy of racial discrimination', 'victims of discrimination', also served the speaker's intention to demonstrate in how far his party has in fact already distanced itself from apartheid and the TRC and is looking for a way forward: 'How best can we correct the imbalances of the past, particularly for those victims of discrimination who were not part of the TRC process?' By raising a pertinent question, the NNP not only proves that his party is "on the ball", aware of the issues that are in need of being addressed but creates a platform onto which concrete approaches and solutions can be produced. In line with this switch, the speech becomes more deliberative, firmly rooted in the present and in order to convey the dynamic and hands-on approach of the NNP, van Schalkwyk proved that his party had already taken to address urgent policy matters. Within four sentences of which the twentieth paragraph consists of, six verbs are in the present progressive form ('ensuring', 'achieving' etc.). The amalgamation of ANC slogans and policies and 'catch-words' that have been inflated in terms of creating effect but deflated in meaning by paragraph twenty-two reaches new heights when van Schalkwyk, having picked up two main areas for policy interventions (education and ownership of land), suggests a 'fast-tracking land reform' and encourages the formation of public-private partnerships for 'empowerment'. With regard to the first term used, one needs to look north of the Limpopo River, to Zimbabwe to find that existing grievances became topical – at a politically opportune moment for the ruling party – and a 'fast-track land reform programme' was announced. It did however not succeed in solving the problems nor avoiding violence to flare up. Some observers of Zimbabwean politics have qualified the developments in recent years as the consolidation of a dictatorial regime, local, South African media and politicians however, have for years labelled it 'Zimbabwe crisis'. An agreement about a consolidated effort to engage with the Zimbabwean leadership consisting of South Africa, Nigeria and Australia has been coined 'troika', again a term taken out of a specific context and applied to a new one, which was even retained after the composition of this "Troika" changed. This does beg the question as to what does happen when words are transplanted, from one context and linguistic site of references, together with connotations and denotations, but not for the sake of serving as a metaphor or analogy? Does it lead to misunderstanding? Result in being meaningless? New concepts and new contexts usually inspire new words. Snow in Canada was such a different phenomenon from the one they knew in the old world that French settlers felt it necessary to distinguish types and coin new words. What happens, though, when a speaker switches languages and instead of creating new terms uses those of another language group? Merely mistakes, cacophony and confusion? There is however also an effect on the terms borrowed and tested – they are marked and so when the "original" language group uses them again, it appears that there are the same sounding words, there is indeed a common language that unites both sides. This is ultimately van Schalkwyk's message as much as I am one of you, we have more in

common than apart, we agree with you: '[...] we as South Africans, understand that we must collectively address the legacy of our past, and that the will is there to do so.'

It is at this stage, where the NNP speaker had repeatedly proven his allegiance to the ruling party as well as to the new South Africa in a 'mixed linguistic bag' style, that he had proven his point but due to time allocation, started to run out of ideas. The audience reacted to some bluntly phrased comments of his with interjections. While his taking the stance that there was no need for the President to 'apologise on behalf of the security forces and state apparatus of the former Government' was acquiesced, protest was raised in the house, briefly thereafter. Van Schalkwyk's attempt at justifying this attitude by referring to the 'assurance that our Government will never allow the mistakes of the past to be repeated' made by Mbeki ends up with a reference to Afro-pessimism, exemplified by a referral to South Africa's northern neighbour: 'This is not an undertaking which should be taken lightly, especially with so many prophets of doom contending that it is only a matter of time before South Africa degenerates into being a second Zimbabwe'. The next paragraph, repeats and expands on that perception, again backed up by opinion and rather populist perceptions, which lack credibility, as encapsulated in the reference to 'conventional wisdom'. How deep-seated these fears of imploding multi-racial societies in Africa are, and how minimal the faith in these socio-political projects, is underlined by the repeated use of 'polarisation'. What the speaker pins his hopes on, are 'the signs of maturity in the discourse in our country with regard to writing our history, and giving due recognition to our past'. It is remarkable that discourse, the action of speaking, engaging is regarded as pivotal and not surprising that the NNP rates a recognition of the past highly. The past, although it is marred by violence and division, classifications and difference, is once again aligned to the stance taken at the beginning of the speech, where references made to the past, as well as to South Africa were always equipped with a personal pronoun 'our' or possessive 'us'. History is receiving an appropriate monument in the edification of the Freedom Park Project, which according to van Schalkwyk does give recognition to all 'the different strands of our common history and a serious awareness of the need for inclusivity'.

While initially, much of the speech was aimed at the immediate audience, in particular the support and the adherence of Afrikaners and by means of the two examples of May Abrahamse and Gary Boshof respectively, also the Western Cape's large coloured community, van Schalkwyk makes an attempt at broadening his audience in the twenty-seventh paragraph. It is at this point that the speaker adopts a sober attitude and reveals knowing all too well the mood many South Africans are in. Like a doctor making a medical assessment, he feels the pulse of South Africa, diagnoses and prescribes: 'for the white community specifically, those who were in the past in positions of power, the time has come to leave aside feelings of depression about power lost, ...' Indeed, as quoted above, many a (white) South Africans' moods has swung to the down-side of the emotional spectrum since the dawn of democracy

and disengaged from politics, they often are planning emigration, living lives that aim at the exclusion of anything new South African, the emphasis being on African. The number of South Africans residing in so-called gated communities is a point in case, another being that outside Johannesburg, and a few (urban) "reconciled" pockets, the rest of the country still thinks in group areas and sees apartheid, eyes multi-racial couples. To all white South Africans who have refused, so far to identify with the new dispensation van Schalkwyk has a rather sober message: 'longing for those times will never, and must never, bring them back.' He goes even beyond that by suggesting 'instead, the invitation for the white community is to understand and embrace the challenges of the present and our joint future.' Words borrowed from a medical context, such as 'strands of our common history', close to DNA strands, 'feelings of depression' and 'joint future' all lead up to a final, irrevocable verdict, namely that whites are connected to the rest of the country as dramatically as Siamese twins. This should, however not be regarded as an irrecoverable condition, leading to the 'retreating into a *laager* of self-interest and self-pity' rather serve as an incentive at 'making a positive contribution to the mainstream of politics.' What van Schalkwyk urges white South Africans to do is to shift their perspectives and perceptions of the situation they find themselves in and 'celebrate being part of a much bigger South African whole'. The idea of wholeness, invokes health and a positive outlook, ready to celebrate life, the prescription for greater happiness.

The proximity of the close of the speech seemed almost to have spurred and inspired the speaker like a marathon runner approaching the forty kilometre sign posts. With greater comfort and clarity, than in the prior sections did he make assessments and recommendations, as well as repeat his support toward building a new nation and be part of a 'process of reconciliation'. While he made spoke on behalf of 'many people in the white community' and also the coloured community, he also reinforced the commonly held perception that the NNP is a party representing white and coloured minority positions. That these two groups may however not be weighted in the exact same manner transpires through the use of one single word: 'also' ('For the coloured community this is also true').

Albeit these inconsistencies, the NNP speaker managed to convey to his audience that the NNP was indeed part of the nation-building team, committed to the game and its rules, if not by a clear style and well constructed arguments, then by the persuasive force of repetition. Although done in a thinly camouflaged way it seems that the speaker rebuked his predecessor, the former President FW de Klerk, who had been rewarded together with Mandela the Nobel Peace Prize for having initiated the dismantling of apartheid: 'noble intentions are one thing, but living reconciliation is quite another'. Van Schalkwyk alluded to the fact that many Afrikaners especially had felt betrayed by de Klerk's action and then once the TRC provided an alternative look at the past, scornful at his refusal to neither admit guilt, take responsibility nor embrace the change initiated by himself but leave the GNU and eventually step

down from the NNP leadership position. Van Schalkwyk who was his successor and was initially met with scepticism and contempt, ridiculed and nicknamed *kortbroek* has worked hard at changing his own image as well as steering his party in a new direction. To prove himself to his audience, he once more resorted to providing two real life examples that would impersonate change and reconciliation: Franklin Sonn, a well-known activist, academic, businessman and former ambassador to the US and now President of the *Afrikaanse Handelsinstituut*³²⁶ and David Piedt who used to head Western Cape Cultural Commission and is now at the helm of the *Klein Karoo Nasionale Kunstefees*, the in Oudtshoorn annually-held Afrikaans national festival of the arts where various Afrikaans artists have confronted and provoked their audiences. These two examples extrapolated ('we have taken massive steps forward', 'there are countless examples of what we can achieve together') and summed up ('much more still to be done') paved the way to the speech's conclusion. Although the joint sitting was called for in order to address the recommendations made by the final report of the TRC, the NNP speaker on concluding his speech does not refer to this matter but rather chooses to look ahead, pre-empting the celebration of the first decade of democracy in South Africa and sums up 'the first ten years of our democracy'. His suggestion that 'now we can agree on the formula for dealing with that [the past], we must ask ourselves what more stands between us as we deal with the challenges of our future' was not well received by the house as numerous interjections were made. Picking up on the image of division on which the speech had started, ('historical divide') and looking reality in the eye ('gaze fixed on our future') the speech rounds up by repeating this action initiated by the TRC 'the TRC has assisted us in peering into the abyss'. In line with this repetition comes the pledge "never again", which should be repeated and renewed every time this past is invoked. By using this phrase, which was also the simple but succinct title of the Argentine Truth Commission's report, *Nunca Mas*, the NNP speaker does grant the TRC the role of a nation-saviour and proves its success at altering perceptions about the past and creating a collective memory, the moment he utters the words 'never again' and by doing so, enters the broad discourse of truth commissions and transitional justice. Although differing in many ways, these commissions nevertheless share a certain ethic as well as moral political standards, restorative justice, the respect for human dignity and human rights. Although as highlighted above, van Schalkwyk often expresses himself in vague terms and skids between different political registers in order to prove his commitment, and neither offend its coalition partner the ANC nor its support base, the imagery in the last sentence of the speech is pragmatic as well as positive: 'build this country, hand in hand, with the black majority'. Physical proximity, symbolised by hands holding each other is a symbol of partnership, of closeness, togetherness as well as evenness and peacefulness. In Zimbabwe, at the opening ceremony of Parliament in 2000, I observed a war of the hands, symbolic of the deep divisions prevalent, between the ruling party and the main opposition party. The former had its members wagging clenched fists in

³²⁶ Afrikaans Chamber of Commerce

the air, the latter stretching open hands up. A hand shake, let alone hands holding each other is inconceivable, significantly, neither of the two sides have been able to maintain a dialogue.

conclusion

It was due to the absence of a rhetorical situation and the ceremonial nature of the event, that the diffuse language aiming to please the NNP's coalition partner, was accepted by the audience. It was a signal that reiterated the message that the NNP does want to be part of the nation-building effort and wants to make a contribution. The amount of voices (polyphonic) that do seep through the speech, reveal how the speaker struggles to create a coherent message, that would strike a chord with coalition partner ANC and not alienate support base even further. These tactics also prove that South African politics are normalising, signified by floor-crossing manoeuvres, pragmatic coalitions instead of racial intrigues, changing tongues instead of finger-wagging hegemonial discourses. Van Schalkwyk clearly distances himself from that and demonstrates his willingness to understand others, which is the starting point of meaningful dialogue. This in itself sends a message of hope. While homophony and speaking the talk of others may serve his political survival and lead some of his party members into the new South Africa, it will need to provide more clear and convincing arguments in order to capture broader support from the growing ranks of disillusioned and disenchanted South Africans. Support for the NNP has steeply dropped from 20, 4 per cent in 1994 to 1, 6 per cent in 2004 (Guillaume, Pèjout & Wa Kabwe-Segatti 2004, 346).

Analysing the New National Party's speech, even more than other party's speeches, sheds light on how a process that could be described as the linguistic dismantling of what the totalitarian fortress that apartheid represented, does work. Van Schalkwyk as he "*praat*³²⁷ *ubuntu*" and tries to wrap his tongue around some new terms and concepts, creates common ground. Surely the architects of grand apartheid would be amazed to see how their edifice has been transformed and their party's successor has become the willing building block on the construction site of the new South Africa, how their restrictive and discriminatory concepts are being reassembled in various areas of public life, and most pertinently so, at Parliament, the very site that had been the cradle of separate development.

³²⁷ English translation for *praat*: to talk

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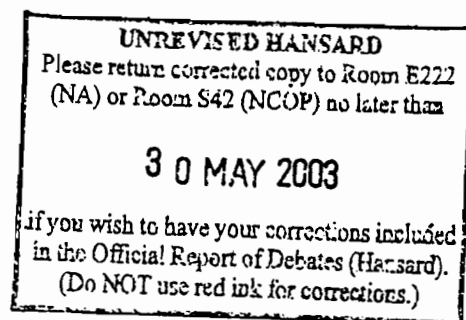
15 April, 2003

TAPE: 109

DISK: 367

TAKE: 0.5

Ms C-S BOTHA

3.5. HONOURABLE PANDELANI NEFOLOVHODWE'S SPEECH (AZAPO)

1 Mr P J NEFOLOVHODWE: Chairperson, I want to begin my contribution to the debate by paying tribute to the liberation movements, the gallant fighters who belonged to the armed formations of the liberation movements, and all the men and women who were not members of these formations, but who nevertheless gave up their lives to free black people from the yoke of oppression and dehumanisation.

2 The TRC has now concluded its task, a task borne out of compromises at the negotiation table. The Promotion of National Unity and Reconciliation Act, which gave rise to the existence of the commission, became a subject of debate within various sectors of our society, Azapo included.

set 3 It is now common knowledge that the Azanian Peoples Organisation, ^{the}Non^{is}sikelelo Biko, Churchill Mxenge and Chris

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Rebeiro took the matter to the Constitutional Court. At the Constitutional Court the parties placed the following before the judges: that apartheid was declared a crime against humanity and as a consequence all criminal acts committed in pursuit of the apartheid system should be punishable by law; that victims of gross human rights violations should not be deprived of their constitutional right to settle disputes through the courts; that freedom fighters in particular and persons who fought against an evil and oppressive system of apartheid cannot be treated in the same way as defenders of the evil system; that it is unfair to victims to grant amnesty to perpetrators of gross human rights violations and say that such offenders should not be held civilly liable for damage sustained by the victims.

4 Chairperson, it is now history that Judge Mahomed, DP, only dealt with the constitutionality of this matter and today we are dealing with the political and other related matters of reconciliation. Interestingly, the judge, that is Judge Mahomed, had this to say about the Azapo concern, and I quote:

5 I understand perfectly why the applicants want to insist that those wrongdoers who abused their authority and wrongfully murdered, maimed or tortured members of their families who

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had, in their view, been engaged in a noble struggle to confront the inhumanity of the apartheid regime, should be vigorously prosecuted and effectively punished for their callous and inhumane conduct in violation of criminal law.

6 The judge goes on to state that:

Every decent human being must feel grave discomfort in living with a consequence which might allow perpetrators of evil acts to walk the streets of this land with impunity.

7 The announcement made by the President concerning prosecution for those who did not appear before the Truth Commission to divulge their acts of inhumanities, is very satisfying indeed for Azapo, possibly for Judge Mahomed.

8 Chairperson, perpetrators have been granted amnesty. What we must now ask is: What about the victims? This is the question that confronts us in this House. This is the time when questions of justice through reparation should come into being. Judge Didcott, in his minority report, had this to say, and I quote:

9 Reparations are usually payable by states, and there is no

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reason to doubt that the postscript envisages our state to shoulder the national responsibility for those.

- 10 This view coincides with the majority view of the judges that held that Parliament was entitled to adopt a wide concept of reparation. It is this part of the judgment that Azapo calls upon Parliament to adopt.
- 11 If Parliament agrees with Azapo, we see reparation as a process that must deal with all aspects of the oppressed life. In Azapo's terms, the monetary aspect of reparations should be seen as but a part of an overall strategy to restore human dignity and decent life to all those who suffered under apartheid.
- 12 Businesses that operated during apartheid and benefited from cheap labour must know that millions of workers, and not only South African workers, but including those from the neighbouring states, contributed billions of rands to their wealth in the form of what is referred to by Azapo as unpaid wages. Thank you.
[Time expired.] [Applause.]

Ms M P MENTOR

Nelia

3.6. AZAPO Speech Analysis – the voice of "consciousness"

Introduction

Following the Rivonia Trial and the incarceration of the leaders of both the ANC and the PAC or their going into exile, Gerhardt writes that 'silence pervaded African political life in the 1960s to an extent which had not been known since the years before 1912' (Gerhart 1978, 257). The voice that was to end this silence was the voice of "consciousness", Black Consciousness, that is. In the wake of Sharpeville, a number of student movements emerged, the one that was to prevail was SASO founded in 1968, Steve Biko became its leader in 1969. Biko advocated nonracialism, emancipation of black people as well as the right to determine an African destiny: 'Hence what is necessary as a prelude to anything else that may come is a very strong grass-roots build-up of black consciousness such that blacks can learn to assert themselves and stake their rightful claim' (Biko 1987, 21). Note that black (with pride) is all-inclusive, comprising of African, Coloured, Indian – in short the antithesis and homonymy – the black non-white. His philosophy was inclusive, visionary and inspired the youth that had grown up at the height of apartheid: 'The liberal must understand that the days of the Noble Savage are gone; that the blacks do not need a go-between in this struggle for their own emancipation. No true liberal should feel any resentment at the growth of black consciousness' (Biko op. cit., 25). Biko envisioned an "African Renaissance" already in 1971: 'the great powers of the world may have done wonders in giving the world an industrial and military look, but the great gift still has to come from Africa – giving the world a more human face' (Biko op. cit., 47) but did not live to see it. Albeit having given the struggle renewed impetus and carrying a broad support basis into the 1980s, black consciousness leaders were not part of the 'talks about talks' held between the ANC and the former NP government. By the time negotiations for a new South Africa took off, AZAPO, founded in 1977 had to contend with a deal in which its voice barely echoed. In his address to the Joint Sitting, Nefolovhodwe indeed before referring to the "AZAPO case", suggested that his party did not agree with the morality in compromise.

rhretorical moment

Represented by merely one MP, AZAPO is one of the smallest parties in the NA. Speaking on its behalf during the Joint Sitting on 15 April 2003 was Pandelani Nefolovhodwe. His speech, which lasted five minutes and was concluded by the presiding Deputy Chair, was the seventeenth delivered that afternoon. A contribution by AZAPO on the final report of the TRC, as well as the subject of reparations – although it is a small party – would necessarily raise interest in various audiences, within

and beyond the confines of the NA: in a way AZAPO is the voice of the "consciousness". This had as much to do with AZAPO's speaker, as it had with the Constitutional Court Case 17/96 which was the most severe legal challenge posed to the TRC, brought forward by AZAPO, Nontsikelelo Biko, Churchill Mxenge and Chris Ribeiro. Having failed to revoke the '... constitutionality of the amnesty provisions ...' (TRC Report, Vol. 1 1998, 174), not only will it be of interest to examine how the speaker of this party views the work of the TRC six years on, but also what is regarded as the legacy of this process. Given this background, it can be expected that the speech Mr. Nefolovhodwe delivered, would have some forensic, possibly also deliberative aspects to it.

type of speech

Except for the first paragraph which contains epideictic speech and the last two paragraphs that are deliberative, forensic discourse dominates in Nefolovhodwe's address. After opening the speech with language borrowed from the times of "struggle rhetoric", he provides the audience with lengthy quotes from the judges who presided over the court case AZAPO and others lodged at the Constitutional Court, intercepted with comments, interpreting the rulings. At the end of his brief address, AZAPO's sole MP in the House provided the audience with his view on reparation, which runs counter to the arguments brought forward by the ANC, as well as the NNP. In putting forward arguments based on the good and the expedient, Nefolovhodwe also anchors his speech in the present, and proves that he still can speak in the "original" voice of the 1970s but knows how to avoid the pitfalls of hanging on to bygones.

taxis:

Divided into twelve paragraphs, of an average length of six lines, this speech is fairly evenly structured, except for the third paragraph, which is fifteen lines long. Given the audience's knowledge of the (in)famous Constitutional Court case, and possible prejudice toward the AZAPO speaker's talking on the final report of the TRC, it is important for him to ingratiate himself with his audience in the introductory paragraph. 'As the term *insinuation* suggests, authors must, in establishing their authority or counteracting prejudices, proceed with the utmost subtlety' (Corbett op. cit., 287). Not surprisingly, this is the linguistically most ornate and epideictic section.

A second paragraph, a brief *narratio*, the 'second division of a discourse' serves to lead the audience toward the main arguments of the speech (op. cit., 293). 'Statement of fact figured principally in forensic oratory. In this division of a forensic speech, the advocate set forth the essential facts of the case under consideration' (ibid). Corbett suggests that we 'adapt our means to the *ad hoc* situation and refers to Quintilian, who 'advises that the instruction of the audience in the statement of fact be *lucid*, *brief*, and *plausible*' (op. cit., 296 & 297). Due to time constraints but also to avoid antagonising his audience, the speaker wraps critique in paraphrases. This approach increases his *ethos* and lays the foundation for arguments he will bring forward later in the speech by giving an account of the court case the Constitutional Court was to judge.

'We can further enhance the credibility of our statement of fact by being careful not to say anything contrary to nature or to historical fact, by assigning believable causes or reasons for events, by trusting more to understatement than to hyperbole' (op. cit., 299). Of the twelve paragraphs, the first five deal with the past. A pivotal paragraph in terms of arrangement is the seventh paragraph, which not only switches the tense to the present, but also pledges support for Mbeki's speech that opened the joint sitting. Although Nefolovhodwe will briefly lead his audience back to the past, the remaining paragraphs are deliberative and firmly set in the present.

Quotes by the presiding Judge Mohamed and the author of the minority report, Judge Didcott are used as proofs for the (moral) validity of AZAPO's case and are set in place of a *refutatio*, which could have caused antagonism from the audience. These sections will be brought together toward the end of the speech. although, AZAPO is still contending the ruling made by the country's highest court, strives for unity and its vision is in line with Parliament. The last three paragraphs, which are more deliberative in style, aim to establish a bridge between the past and the future and provide the audience with concrete policy outlines on the issue of reparations.

pisteis

At the beginning of his speech, Nefolovhodwe pays tribute to all those who fought for the liberation of South Africa, a strong emotional appeal. In order to render a complex matter, the Constitutional Court ruling in the case of AZAPO and others opposing the amnesty provision, Nefolovhodwe uses description: 'another method of definition, frequently used to convey a notion of a complex organisation or mechanism, is the extended description. [...] presented in discursive prose' (Corbett 1992, 41 & 42). Logical appeals dominate his address, based on examples drawn from the Constitutional Court judges' ruling, the AZAPO speaker when adopting deliberative discourse at the

end of his address, provides his audience with concrete policy suggestions, broadening the concept of reparation. Nefolovhodwe is the only speaker who argues for measures of redress to be extended to non South Africans – a ethical appeal in line with Panafricanism.

topoi

The first paragraph is crammed with struggle *topoi* typical of the “rhetoric of liberation” in general, and that of black consciousness in particular. ‘Paying tribute [...], gallant fighters [...], armed formations [...], liberation [...], free(ing) black people [...] from the yoke of oppression’ – all suggesting an anachronistic and romanticised notion of liberation struggle (surprisingly it was only the 1970s). These *topoi* are very different from the language of the ruling party and that new South Africa. After this highly ceremonial *exordium* the *topoi* switch to testimony, comprising of authority, testimonial, statistics, maxims, law and precedent, to flag a forensic discourse. The *topos* of reparations and human dignity also feature, like in many other speeches, but the use is different.

lexis

This short speech is made up of twenty sentences, many of which are very long extended by semicolon. His speech consisting predominantly of quotes taken from the judges Mahomed and Didcott is dominated by legal terms Nefolovhodwe *exordium* is a passionate rendition of BC classic view, possibly appealing to the external audience (A constituency) and sounding rather old fashioned in the House. The tone rapidly switches into deliberation in paragraph two and then into forensic rhetoric. The long quotes are aptly chosen and impeccably used. It is the voice of the Judge that condemns the perpetrators, not that of AZAPO. The following passionate plea for concrete restitution, effectively introduced by the rhetorical question ‘What about the victims?’, switches the view of the ruling party around: ‘the monetary aspects ... (of) human dignity’ is indeed recognised. A superb example of homonymy the *topos*, meaning totally different things for different people.

analysis

Pandelani Nefolovhodwe commenced his speech in a curt manner, which besides him only four (van Schalkwyk, Botha, Smuts, Maduna) other speakers chose to do, namely by addressing the Chairperson.

The omission of a lengthy list of addressees can most likely be attributed to the short period of time allocated to speakers of opposition parties. Nefolovhodwe regards the event as a 'debate' and his 'contribution' as an occasion 'to pay tribute to the liberation movements, ...'³²⁸. By doing so, he subordinates qualifying and evaluating the work done by the TRC to what actually deserves appraisal: all the heroes who fought 'to free black people'³²⁹. Following immediately after this solemn introduction is the statement of fact in the second paragraph in which Nefolovhodwe again, instead of discussing the TRC, shifts back to its origins and original task: 'a task borne out of compromises at the negotiation table.' Embedded in an array of technical and legalistic terms, the political developments of the early 1990s are viewed critically, as his reference to the Act having been a 'subject of debate' underlines. Nachi, in his exploration of compromise and its meaning, states that one must distinguish between compromise as being an objective in itself, or a process. In the first instance, this may be geared toward reaching an agreement or settling a conflict; in the second instance compromise is a means, to reach a settlement, the process of conflict resolution. Most significant is the fact that 'A compromise is an agreement between two or more parties who, from the outset are willing to negotiate, and accept to make necessary reciprocal concessions for the outcome of a dispute.'³³⁰ Compromise presupposes a 'state of dispute' and according to Paul Ricoeur, quoted by Nachi, 'this is the reason why society does not fall apart'³³¹ (ibid.). In his speech, the AZAPO speaker contends the outcome of the compromise. A theoretical examination of compromise Golding undertakes distinguishes between the 'end-state' and 'process' approach. 'The end-state approach will tend to the view that fair outcome is a unique point or set of points in the region of possible outcomes. [...] The process approach, on the other hand, has a laxer, shall we say, more compromising view of the matter. It will judge the fairness of the outcome in terms of the procedures followed in reaching it [...] The process approach to the phenomenon of compromise requires that we go beyond mathematical game theory and into the disciplines of psychology, sociology, and moral philosophy' (Golding 1979, 7-8 in: Nachi). It is at this stage that a distinction must be made between 'morality in compromise' and 'morality of compromise' and exploring the means by which a bargaining process, aimed at reaching a compromise, will be conducted in such manner as to not compromise moral values, and by this, antagonise members of a negotiating group. In order to reach a compromise, a common language needs to be established, that will serve as a first common denominator. In the case of South Africa, towards the end of the 1980s, before official negotiations were undertaken, 'talks about talks' were held, probing whether a common tongue existed that would be the vehicle to proceed towards a peaceful transition. Reaching a political compromise would be an incredible feat in such a deeply divided country as South Africa was at that time. Such a

³²⁸ Hansard op. cit., (Tape: 109, Disk: 367, Take: 0.5)

³²⁹ ibid.

³³⁰ French original: *un compromis est un accord obtenu entre deux ou plusieurs parties qui, étant préalablement disposées à négocier, acceptent de faire des concessions réciproques nécessaires au règlement d'un différend*

³³¹ French original: *est ce qui empêche la société de tomber en morceaux*

process then, 'presupposes a commonality or, more exactly, a community.' Beyond that, each party not only acknowledges the other party, but grants it 'some degree of moral legitimacy,' [...] (Abel 1996: 106 in Nachi). Once a common language has been established, a compromise serves to avoid (further) violence and once reached, it can reproduce itself or in Abel's words: 'to reinvent itself within new contexts'³³², [...] (ibid.). Nefolovhodwe, who rejects the compromise, is unable to accept the TRC, which is a transformation of the negotiated settlement, a production with a new set of actors, but a barely altered script.

According to Perelman, 'the goal of all argumentation, as we have said before, is to create or increase the adherence of minds to the theses presented for their assent. An efficacious argument is one which succeeds in increasing this intensity of adherence among those who hear it in such a way as to set in motion the intended action [...] or at least in creating in the hearers the willingness to act which will appear at the right moment' (Perelman & Olbrechts-Tyteca 1969, 45). Given the nature of the event, and the rules applying to joint sittings, the speaker speaks for Hansard, the Parliamentary record, given that reasons to increase the adherence of minds are procedurally made redundant. Debate, action as well as a moment for action being ruled out, Nefolovhodwe resorts to paraphrasing and quoting. Although the quotes by judges Mohamed and Didcott serve as a means to increase his *ethos*, speaking in other voices in this instance equals repetition, as well as argumentative rigidity, freezing these sections of the speech in time, as the Constitutional Court ruling dates back to 1996. Besides enhancing the speaker's *ethos*, these references and repetitions reveal that not facts, but values are at stake. With regards to facts, Perelman's definition states that 'from the standpoint of argumentation, we are confronted with a fact only if we can postulate uncontroverted, universal agreement with respect to it.' Values are ranged among the objects of agreement concerning the preferable and 'all that pertains to the preferable, that which determines our choices and does not conform to a preexistent reality, will be connected with a specific viewpoint which is necessarily identified with some particular audience, though it may be a large one' (Perelman & Olbrechts-Tyteca op. cit., 66) Although no decision would be taken during the joint sitting, it becomes clear toward the end of Nefolovhodwe's speech, that he tries to reach another audience, namely the active, decision-making audience of the joint committee that would at a later stage be convened to finalise provisions for reparations: 'If Parliament agrees with AZAPO, we see reparation as a process that must deal with all aspects of the oppressed life.'

Not surprising is therefore that the longest paragraph of this speech reiterates the position of AZAPO with regard to the TRC's amnesty provision. With regard to amnesty, the TRC report states that 'in

³³² French original: *se réinventer dans des contextes nouveaux*

order to advance such reconciliation and reconstruction [of society], amnesty shall be granted in respect of acts, omissions and offences with political objectives and committed in the course of the conflicts of the past' (TRC Report, Vol. 1 chapter five 1998, 117). Individuals who applied for amnesty at the TRC had to fulfil certain criteria:

Section 20 of the Act stipulated that amnesty could be granted on the following conditions:

- a Applicants were required to apply for amnesty for each offence committed.
- b Applications had to be made within the time frame laid down in the legislation.
- c Perpetrators were required to make full disclosure of their crimes in order to qualify for amnesty.
- d Amnesty hearings involving gross violations of human rights were to take place in public, save in exceptional circumstances.
- e Amnesty had to be granted on the basis of a set of objective criteria.
- f Amnesty could not be automatic; it would not be granted for certain heinous crimes.
- g The name of the persons to whom amnesty had been granted, together with information relating to the crimes for which they were granted amnesty, would be published in the Government Gazette and in the report of the Commission.
- h The amnesty provisions in the Act required applicants to declare the nature of their offences - effectively acknowledging their culpability. In cases where amnesty applications were not made or were unsuccessful, the way was left open for conventional criminal trials, where the prosecuting authority decided that there were sufficient grounds for prosecution (TRC Report, op. cit., 119).

conclusion

The speaker resumes AZAPO's position during the struggle. He is defiant towards the majority view, which he challenges by firmly asserting that 'monetary aspect of reparation should be seen as but a part of an overall strategy to restore human dignity and decent life to all those who suffered under apartheid'³³³. Moreover, he was the only speaker to suggest to extend these measures to thousands of citizens of neighbouring countries also affected by apartheid. As Dewey argues, 'most deliberations participants' anticipation of the future are based on their recollection of the past' (Sloane op. cit., 211). The "voice of consciousness" also revealed how much of a missed opportunity for real debate the 15 April 2003 was by opening an array of questions relating to the nature of justice and compromise, none of which could be addressed or discussed. Proving AZAPO's relevance and suggesting that this small party has a vision for the future.

³³³ Hansard op. cit., (Tape: 109, Disk: 367, Take: 0.5)

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18

April, 2003

TAPE: 111

DISK: 369

TAKE: Q.1

Ms T E MILLIN

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3.7. HONOURABLE DENE SMUTS' SPEECH (DA)

- 1 Ms M SMUTS: Chairperson, like the hon Dr Pheko, the final report reminds us that it has been the consistent complaint against the TRC by the liberation movements that they were treated on a basis of moral and legal equivalence with the former state. But the law which created the TRC required such equal treatment, as the TRC reminds its readers. Of course this is because nobody won any war. Neither violent repression ^{nor} violent revolt succeeded. The decision that there would be amnesty was part of a constitutionalised negotiated settlement. And that self same Constitution requires equality before the law.

- 2 Has the TRC in fact succeeded in being even-handed? The independent Amnesty Committee, the judges, scrupulously observed the law, and therefore no question of fairness can legitimately

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⁵
18 April, 2003 TAPE: 111 DISK: 369 TAKE: Q.2

arise. Their report is a pleasure to read, and I think that we all owe our thanks to the judges and to Advocate Martin Coetzee, who lately acted as CEO. But Sir, did the broader TEC investigate violations by all sides equally? In a word, their words, no. Having decided that the State and IFP undoubtedly perpetrated most incidents, they set about devoting ``most resources'' to investigating those bodies.

3 Now the question of whether the Commission in fact fulfilled its mandate, could have been left to the court of history and of the public opinion, except that it has got itself and South Africa into a mess with its support for international reparations claims. The Commission acknowledged early in its life that the gross violations of human rights, as defined in the Act, that it was supposed to investigate, are really the bodily integrity rights. It was supposed to enquire into killing, torture, abductions and severe ill^o treatment.

4 However, it decided that it would make a distinction between those defending apartheid and those fighting it, because of the Commissioners' ``deep awareness of systemic discrimination, which made it very difficult to concentrate only on killing,

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NASIONALE VERGADERING

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16 April, 2003

TAPE: 111

DISK: 369

TAKE: Q.3

torture, and so forth''. In the international community, apartheid, as a form of systematic racial discrimination, constituted a crime against humanity. And so the Commission made itself the last word on discrimination and all of apartheid. A position which now gives its outrageous reparation suit proposals, international credence, and threatens our economy and precisely the unemployed, previously discriminated against, poor.

5 The Commission is very fond of telling other people, even the hon the President, to apologise. I would suggest, very respectfully, especially those commissioners making careers in the US should apologise on this issue. Having signed up on apartheid as a crime against humanity, the Commission endorsed the liberation movements' claim of a just war without further ado. However, the qualifications of the laws of war, fortunately also applied. Just war does not legitimate unjust means like the killing of civilians.

6 The findings on the AWB and APLA are damning. The PAC position, Dr Pheko, that whites were beneficiaries of the system, therefore every white person was part of the defence lines of apartheid and every white home a garrison, is found by the TRC

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1⁵ April, 2003 TAPE: 111 DISK: 369 TAKE: Q.4

to be absurd. The Amnesty Committee documents a media briefing by APLA commander Letlapa Mphahlele, to whom hon Pheko referred, on 28 October 1997 in Bloemfontein, in which he said, ``his proudest moment was seeing whites dying in the killing fields'', and accused the Amnesty Committee of being a farce and a sham which sought to perpetuate white supremacy.

7 I wish to place on record that Mr Mphahlele confirmed during a radio debate with me on Cape Talk, 19 November 2002, that he ordered the Heidelberg Tavern and St James Church massacres. Yes, I do so, because it remains our view that Mr Mphahlele must be prosecuted. It remains the position of the TRC that prosecution should be considered where evidence of gross human rights violations exist. The spiritual leaders at St James told me last year that the forgiveness they could express as Christians toward the cadres who did receive amnesty, is something separate from the State.

8 People, in their view, received their opportunity for grace, and if they turned it down, they must face the wrath of the law. If I understand the President's proposal to be an invitation to people with locus and with information to turn \$tate witnesses,

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⁵ 16 April, 2003	TAPE: 111	DISK: 369	TAKE: Q.5
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that is how I understand it, then I will say that the normal course of the law seems to be followed. Apart from some risk of one-sidedness, that is the right way. The proposal is suggesting that the law follows its normal course, and that is precisely the position to which South Africa should return in order to restore the rule of law. Thank you. [Applause.]

Mr DA HANekom

3.8. DA Speech Analysis – the prudent speaker

introduction

Only on the day of the Joint Sitting did Democratic Alliance speaker Dene Smuts get confirmation about the fact that there would be no further amnesty.³³⁴ This concern, which according to her and her party, would have turned the whole TRC process into a 'travesty' had until then been the focal point of the address she prepared to deliver that day.³³⁵ Although the DA did not withhold voicing critique on the TRC it was the sole party that did not mount a legal case against the Commission. Smuts was the twentieth speaker in line and the third of four DA speakers – Tony Leon, the leader of the official opposition was the third speaker and Sandra Botha from the NCOP had spoken, as sixteenth speaker. Smuts stood out as one of the most versed and skilful orators who based her contribution on factual insight. A concise speaker she delivered in six minutes, covering issues, such as the legal tenets of the amnesty provisions, the TRC's mandate, international reparations law suits, and responded to the President's speech, as well as to the PAC's Dr Pheko on the issue of prosecutions.

Dene Smuts' speech differs substantially from the rest of the sample, and this is reflected in the brevity of some sections of the analysis below.

rhetorical moment

Dene Smuts wrote her speech for the Joint Sitting prepared to respond to what she, as her party's spokesperson on the TRC, had vehemently objected to: a general amnesty. The question of amnesty had previously been re-opened and the DA was opposed to it, as it was to the introduction of a wealth tax or reparation claims in foreign courts. The official opposition party has undergone a number of changes as the follow-up party of the former Progressive Party which then renamed itself Democratic Party. It is a party without struggle cult and could not join the chorus of salutes issued that day. Smut's choice to deliver a rational discourse. More than a decade of Parliamentary work, which included two constitution-writing processes, as well as formulating the law that became the basis for the TRC – the Promotion of Unity and Reconciliation Act – gave Smuts the authority to set the records straight. She even went beyond that by placing 'on record' that Mr Mphahlele had 'ordered the Heidelberg Tavern and St James Church massacres.'

³³⁴ Interview 1: Dene Smuts, MP DA, 15 August 2003.

³³⁵ *ibid.*

type of speech

Aiming to set the record straight, as well as responding to previous speeches, Smuts' speech is forensic, except for the last paragraph where she adopted deliberative speech and gave her expressed support for Mbeki's concrete policy proposals with regard to prosecutions.

taxis

The speech is divided into eight paragraphs, nearly all of them ten lines long and varying from three to six sentences. Smuts, pressed for time, lead her audience straight into the matter of her address and in the first paragraph reiterates the fact that the nature of the compromise reached in South Africa begged for an morally and politically equal treatment of the liberation movements and the former state.

The questions Smuts posed at the beginning of her speech serve as the thread she follows to develop her arguments in paragraphs two and three, relating to the TRC's choice to focus predominantly on crimes perpetrated by the apartheid state and the IFP.

In paragraphs four to six Smuts concentrates on highlighting the implication of the TRC's reinterpretation of its original mandate to investigate gross violations of human rights and 'signing up on apartheid as a crime against humanity'³³⁶. Referring to the notion of just war and unjust means, she alludes to the killing of civilians and cites the case of the PAC and its military wing. She effectively mounts a case and in paragraph seven provides details on the case of the bombing of the Heidelberg Tavern and the St James Church massacre. In line with the attack at the Church she refers to Christian values such as forgiveness however mentions that Christian morals operate on a different plane than legal justice. In the eighth paragraph she switches to deliberative discourse in support of Mbeki's stance on prosecution. She closes her speech by returning to forensic discourse and argues that South Africa following the experience of the TRC must restore the rule of law.

pisteis

Smuts is one of the most senior members of Parliament and is known for her sharp tongue, readiness and expert knowledge:

³³⁶ Hansard op. cit., (Tape: 111, Disk: 369, Take: Q.3)

The Democratic Party's Dene Smuts had the property clause baby firmly strapped on her back and her heated exchanges with the ANC's Willie Hofmeyr about "hate speech" were some of the most intellectually stimulating in the course of drafting the constitution' (Madlala in: This Day 6 February 2004, 11).

Of all the Members who addressed the Joint Sitting, Smuts was one of the few who has established an ethos for herself. The mode of persuasion Smuts uses throughout her speech is *logos*, arguing for the rule of law.

topoi

Since Smuts chose to deliver an almost entirely forensic, closed by a deliberative paragraph, her address does hardly make use of *topoi* and other rhetorical figures, instead it opts for "straight talk", backed by facts. She does not rely on the standard *topoi* used by many speakers during the Joint Sitting, such as unity and nation-building and stays particularly clear from defining or mentioning the *topoi* reconciliation and *ubuntu* – which belong to ceremonial discourse. Smuts keeps her focus strictly on the TRC's recommendation, and related issues. The *topos* she does use is testimony, comprising of authority, testimonial, statistics, maxims, law and precedent (Corbett 1990, 124). Related to this *topos* are references to equality before the law notably equivalence, equal treatment.

lexis

This speech aiming mainly at providing the audience with facts has a considerably limited amount of adjectives and adverbs. Quotes and spatial indicators as well as precise dates – like in a statement – further add to the forensic nature of the speech. Despite the legal approach adopted, no legal jargon features, and only one foreign term is employed, the Latin *locus*. Smuts does abstain from descriptive terms and uses adjectives and adverbs sparsely. She, furthermore, avoids emotionally charged language and evocative literary figures such as metaphors and analogies in order to remain rational and factual. There seems to transpire elaborately concealed critique and hints of sarcasm, as she has to refresh her audience's memory twice at the beginning of the speech, about the content of the TRC report, as well as the commission's mandate. Even though she condemned commissioners' support of international reparations claims, she steered away from polemic. She avoids over-used terms such as reconciliation,

choosing instead grace and forgiveness, Christian concepts in line with her citing the case of the St James Church massacre.

analysis

In the first paragraph, which most speakers used as a platform to pay tribute to (dead) historical figures or getting the attention of their audience, Smuts instead of a formal introduction, responds to an argument brought forward by a previous speaker. Dr Pheko's speech is appropriated, remoulded and becomes the tray on which she serves her first argument, as well as ammunition she launches from the onset: 'the decision that there would be amnesty was part of a constitutionalised negotiated settlement.' Perelman states that

in a discourse, all the elements which the speaker conveys can be described only through a language, which must be understood by the audience. Thus the facts called to mind require, beyond their being given, a manner of description and interpretation as well (Perelman 1982, 41).

Hence follow all the other points she addresses in this first paragraph, such as liberation movements being 'treated on a basis of moral and legal equivalence with the former state' as well as the verb 'reminds' both times linked to the TRC and its report. Revealing that she knows the law she is interpreting and has read the Report gives her authority, contributes to her ethos but also serves as factual proofs and 'expository definitions' (Corbett 1990, 38) for her speech. Not being able to "properly" debate the TRC report, nor the pertaining matter of reparation, she resorts to the tenets of liberal theory: deliberation. Her party, the DA, which is the result of a reconfiguration of the former Democratic Party (DP), for which Smuts initially entered Parliament, has no struggle credentials, nor heroes and heroines to salute, and therefore, she does what only few other speaker that day did, to comment on and critically engage with the TRC's report, the President's speech but also other speeches delivered.

Smuts, who was at the time the DA's spokesperson on human rights, as well as the on TRC, served on the justice committees that wrote both constitutions in the early nineties, revealed during the interview her party's strategic approach toward the joint sitting:

He [Joe Seremane] is one of the persons I touched base with before. So he had been my choice of my co-speaker when Tony came in, that became three of us and we divided up our time. So I went in knowing I had only six minutes, not knowing what was coming. In circumstances like those you prepare a little bit more than six minutes' worth, eight or nine minutes' worth.³³⁷

³³⁷ Interview 1, 15 August 2003.

Further into the interview, she gave insight into how each speaker was allocated a particular topic:

In the six minutes I therefore could not deal, I went into the debate and decided I couldn't deal with, I decided I would,I would look at the amnesty issue. I ... We had a fourth speaker you don't even know about, and that is Sandra Botha and I asked her to deal with reparation because the two of us sat together. The NCOP also had its own separate speaking time in our case that time was allocated to Sandra Botha, she had - I think four minutes - I asked her to deal, I would do the amnesty issue, she would deal with reparations and I furnished her with background information³³⁸

By addressing the PAC speaker's position and highlighting one 'consistent complaint against the TRC by the liberation movements', she effectively alluded to the opposition and perpetual legal challenges the TRC had to surmount during its time of office. According to Perelman and Olbrechts-Tyteca, 'by the very fact of selecting certain elements and presenting them to the audience, their importance and pertinency to the discussion are implied. Indeed, such a choice endows these elements with a *presence*, [...] (Perelman & Olbrechts-Tyteca 1969, 116).'

Departing from the points raised in the first paragraph, the second paragraphs opens with a question about a contentious issue and which various parties had rejected: the TRC's even-handedness. Again Smuts casts her argumentative mould around the tenet of the rule of law and concluded that 'the judges scrupulously observed the law' and as evidence of their work, produced a report that 'is a pleasure to read'. Unlike many speakers before and after her that day, Smuts did not appraise sacrifices made in the past but chose to single out Advocate Martin Coetzee's work and by doing this making the audience aware that not only the struggle period but also the South African transition period had its heroes. And while the past heroes normally are viewed as such by particular political group only, heroes of the transition, having been instrumental in transposing the whole of South Africa into a democratic and peaceful framework, are common to all so that 'we all owe our thanks to the judges and to Advocate Martin Coetzee'. At this point the audience is regrouped into a single entity, '... a universality and unanimity imagined by the speaker, to the agreement of an audience, which should be universal, [...] ' (Perelman & Olbrechts-Tyteca 1969, 31). There is, however, more to addressing a universal audience:

Argumentation addressed to a universal audience must convince the reader that the reasons adduced are of a compelling character, that they are self-evident, and possess an absolute and timeless validity, independent of local or historical contingencies. ... It is to be observed where rational self-evidence comes into play, the adherence of the mind seems to be suspended to a compelling truth, and no role is played by the processes of argumentation. The individual (...) defers to the constraining force of reason, which takes from him all possibility of doubt. Thus, maximally efficacious rhetoric, in the case of a universal audience, is rhetoric employing nothing but logical proof (Perelman & Olbrechts-Tyteca 1969, 32).

Having established some common ground, the speaker managed to pursue her probing approach without alienating her audience; again the use of 'all', referring to the fact that 'all sides equally' committed gross violations of human rights, is telling. Not only does this make the audience aware of

³³⁸ *ibid.*

the fact that perpetrators were to be found among all groups but also that there is a need to distinguish between the TRC's mandate and the report written by the Commission. In addition to narrowing down the focus of its work on violations committed by the former state and Inkatha, the TRC's commissioners, according to Smuts exceeded their duties by making the TRC 'the last word on discrimination and all of apartheid' instead of leaving the evaluation of its work to 'the court of history and of the public opinion.' In paragraphs three and four, Smuts provides examples on how the Commission's shortcomings, like its decision to digress from its mandate and distinguish 'between those defending apartheid and those fighting it' in its enquiries and its stance to publicly support international reparations claims, are inter-connected. As previously in, her argumentative thread, the prevalent *topoi* is the law, to which she made reference a total of six times in her speech. The message the speaker aims to convey is that the consequences of the international reparations suits are significant and that the TRC is in no position to call for 'the hon the President, to apologise'. Morality and values, in this case Christian values, are deeply personal, hence, as stated in paragraph five and again in paragraph seven, no prescriptions can be made with regard to remorse, forgiveness or making apologies. A further consequence of the TRC's endorsement of apartheid as a crime against humanity, as stipulated by the international community, was its bias toward the liberation movements' views toward legitimising means employed in their fight against the apartheid state. This, according to Smuts, meant that there was no equally balanced assessment of violations committed by all sides, nor was the notion of just war by just means upheld. All parties engaged in either fighting against or in the name of apartheid are equal in that they did fall guilty of killing civilians.

It is at this point that Smuts engaged once again with Dr Pheko, whom she once again referred to the report, according to which both his party's military wing, APLA, and the AWB found guilty of extending the battle zones and targeting civilians. By putting the AWB, a white right-wing and extremist military organisation and APLA on one and the same, interchangeable level, it bars the latter of any moral superiority. Justifications brought forward by the PAC, necessary to fulfil the TRC's criteria of full disclosure and politically motivated acts, were rejected by the Commission and according to Smuts, labelled 'absurd'. In the sixth paragraph, Smuts demonstrated that breaching the issue of apartheid and morality would effectively lead to thorough scrutiny and cross-examination not many would be able to withstand – a point she would immediately pursue to prove by referring to the former APLA commander Letlapa Mphahlele. In order to lend her testimony credence, she produced a date and direct quote made by Mphahlele – once again taken from the TRC's report: "his proudest moment was seeing whites dying in the killing fields". There can be little doubt that the speaker could have used a more incriminating quote as the reference to 'killing fields' put Mphahlele on one and the same level as Cambodia's Pol Pot. Any further statement by the APLA commander, dismissing the Amnesty Committee as 'a farce and a sham which sought to perpetuate white supremacy' would lose credibility.

The abundance of the adjective white, used a total of five times in the sixth paragraph but not once otherwise, seems to infer that Mphahlele instead of producing morally defensible political arguments to fight the apartheid regime, drew the race card. In the ensuing paragraph, however, Smuts produced her joker and after cross-examination, lays effective charges against Mphahlele which will be documented in the Hansard Parliamentary records: 'I wish to place on record [...]' Again Smuts, like a state witness, provides her audience, as if it were a jury, with precise indications as to Mphahlele's responsibility in ordering the attacks on the Heidelberg Tavern and St James Church, both around Cape Town. This approach reveals how Smuts understands her expectations in addressing the audience that day and how she conceives of deliberation. Deliberation needs information and arguments, however, 'persuasion occurs when information and arguments on the merits of an issue lead a participant in the policymaking process to take a substantive position that he or she had not taken prior to engaging in the process. It thereby involves some kind of change or development in the policymaker's understanding' (Bessette op. cit., 53). In line with the previous quote referring to the killing fields, she then used 'massacres' in her charge. In support of the call for prosecution of Mphahlele in particular and any other cases 'where evidence of gross human rights violations exist' are not only Smuts herself, but her party ('our view') which is in line with the TRC. 'The key to the conjunction of democracy and deliberation in the original constitutional design is that the representatives of the people must both share the deep-seated interests and desires of their constituents and be free to exercise some substantial independent judgement in making policy decisions' (Bessette op. cit., 39). Significantly, the St James Church is located within her constituency.

Smuts' statements gain argumentative weight due to the fact that she can produce facts and presence. She has read the report, as well as engaged with both perpetrator and victims. She stays clear of using the term reconciliation, instead substituted it by 'forgiveness' and 'grace', which individuals could convey on former cadres, the state, however, operating according to different, judicial that is, conceptual frameworks. Hence the support she expressed toward the end of her speech, to the President's call that 'people with locus and information' become 'state witnesses'. The TRC represented an 'opportunity', a period of and for grace, a possibility for perpetrators to take responsibility, embrace the new South Africa. This window of opportunity through which the winds of change were to sweep through aimed at providing mute and silenced voices the breath to speak, democratic South Africa and all that wanted to take part in it, the kiss of life. The stormy years of transition and the TRC being over, peace, long awaited and 'the normal course of the law' need to be established. Smuts gives her demand a sense of urgency by repeatedly using 'law' and 'normal course', implying that the state of emergency South African politics and its people have lived in for so long, has finally been lifted.

conclusion

Bessette describes deliberation in the American context as '[...] reasoning on the merits of public policy.' (Bessette, p. 46) In general, 'every deliberative process involves three essential elements: information, arguments, and persuasion' (Bessette op. cit., p. 49). If information equalled to weaponry, then Smuts could be described as a sharpshooter. However, the notion that 'in any deliberative process the participants must be open to the facts, arguments and proposals that come to their attention and must share a general willingness to learn from their colleagues and others' (Bessette op. cit., 46) was hindered by the lack of a rhetorical audience. Nevertheless, Smuts stays true to her role as the official opposition and puts forth a critical review of some of the mistakes made by the TRC. She objects to the international reparations suits, and to former Commissioners having reinterpreted their mandate leading to broadening the focus and investigate issues relating not merely to gross human rights violations but what generally is subsumed as the structural violence of apartheid.

In Aristotle's words 'prudence, finally, is that virtue of the intellect by which men are able to deliberate well about the good and bad things we have mentioned, with a view to achieving happiness' (Aristotle op. cit., 105) – a definition that applies to the speech Smuts held on the occasion of the 15 April 2003 Joint Sitting.

chapter four The Rhetoric of *Malibongwe* – Women Orators at the South African Parliament³³⁹

Writing on the "Promiscuous Audience" controversy, Susan Zaeske states right at the beginning of her article that 'the emergence of women on the public platform is one of the major developments in the history of public address in the United States' (Zaeske 1995, 191). In her seminal work on the rhetoric of women, Karlyn Kohrs Campbell commences by juxtaposing men and women and the art of persuasion: 'Men have an ancient and honourable rhetorical history. ... Women have no parallel rhetorical history' (Kohrs Campbell 1989, 1). Hence the need, '... to make it clear that the rhetoric of women must be studied if we are to understand human symbolisation in all its variety and to identify touchstones that illustrate the peaks of human symbolic creativity' (op. cit. 1989, 9). Although both Kohrs Campbell and Zaeske's work is based on *antebellum* America, this chapter seeks to establish some parallels between this historically unique context and the South African case, guided by the notion that 'rhetorical invention is rarely originality of argument, but rather the selection and adaptation of materials to the occasion, the purpose, and the audience' (ibid.). In America, 'woman's rights agitation was in large measure a byproduct of women's efforts in other reform movements' (Kohrs Campbell op. cit., 4), notably the abolition of slavery or the temperance movement. With regard to the South African context, national liberation dominated women's organisations' political agendas. In both cases, women proved great zeal and strength in organising themselves in order to make their voices heard, demanding the right to vote which, in America, culminated in a march held one day prior to President Wilson's inauguration in 1913: 'Some 8000 women marched from the Capitol down Pennsylvania Avenue to the hall of the Daughters of the American Revolution [...]' (op. cit. 1989, 172-173). An event that would lead to further protest and in terms of significance rates as highly as South African women's protest march against passes in 1956. Given the difficulties to make "herselves" heard, many women 'adopted what might be called a feminine style to cope with the conflicting demands of the podium' (op. cit. 1989, 12). Kohrs Campbell presumes that the 'feminine style' is not rooted in biological differences, rather derives from most women's shared processes of socialisation. She compares women's approach to public speaking with craft-learning, which leads to discourses that are marked by a personal tone, drawing on experience and an inductive structure (op. cit. 1989, 13).

Audience members will be addressed as peers, with recognition of authority based on experience (more skilled craftspeople are more experienced), and efforts will be made to create identification with the experiences of the audience and those described by the speaker. The goal of such rhetoric is empowerment, a term contemporary feminists have used to refer to the process of persuading listeners that they can act effectively in the world, that they can be "agents of change" (Bitzer 1968 in: ibid.).

³³⁹ Findings of research conducted on women orators went into a paper presented at the workshop on Women's Rhetoric in South Africa and Sweden: "Women Orators at the South African Parliament" at the: About an African Athens - Rhetoric And Democracy, To Celebrate 10 Years of Democracy in South Africa, International Conference, Cape Town, 6-11 June 2004.

Afro-American women had to face even greater obstacles with regards to public speaking than their white female allies. Amongst the early women's rights and abolitionist activists, Sojourner Truth stands out as one of the most skilled public speakers:

Like most other early women speakers, Truth relied heavily on the Bible, but she felt herself as standing in an unusual relationship to God, one which she talked about in her speeches, and which she combined with metaphors of unforgettable vividness. However, she was also the first woman's rights activist to speak in a colloquial or low style, heavily laced with humour (op. cit., 20).

South Africa, joining the ranks of *de iure* liberated African states so late, is a case-study of great interest. So far it has managed to avoid following the same developments observed elsewhere on the continent where

women have neither played a significant part in the creation of the modern state system on the continent, nor have they been able to establish regular channels of access to decision-makers. State policies toward women have, as a result, exhibited varying degrees of discrimination and coercion (Chazan in: Mama 1995, 39).

Given that 'the constitutional and legal status of women, and women's participation in all levels of governance have long been taken as key indicators of the general level of democracy, ...' (Mama 1995, 37) gives further impetus for this particular chapter, which examines women orators at the South African Parliament and seeks to establish whether women deliberate differently.

A brief look at the history of *rhétorique au féminin* in South Africa will serve as an introduction to the nature of debate at the South African Parliament and whether it has changed seeing that the number of female MPs has dramatically increased over the past ten years. Among research applying a gender perspective conducted so far, none has scrutinised feminine rhetoric in South Africa generally, nor at Parliament in particular. Hence, this research, based on a literature review, rhetorical theory and also interviews held with three MPs, as well as a number of officials, the latter having worked for Parliament for longer than the democratic decade. Given the current lack of a rhetorical analysis of South African women orators and Kohrs Campbell work's significance in the field of women's rhetoric, most notably *Man Cannot Speak For Her*, will serve as a template Areas that will be explored will include rhetorical strategies, including use of humour, and music, questions of style and empowerment, special skills and topics, as well as a brief look at material rhetoric, in order to establish whether South Africa's woman Members of Parliament do argue differently than their male counterparts. This chapter is divided into the following sections: an introduction looking at women in the context of South African history and their journey into the chambers of the National Assembly since 1994; issues women have raised, policies and laws they succeeded in promoting and passing. ;the approaches of women in Parliament to writing and delivering speeches, participating in debates, and attitudes toward debate and deliberation, including a sample of orators and speechesproviding insight on whether women's approaches to debate

are gender specific and where differences with regard to "masculine/male rhetoric" may lie; finally ending with a brief analysis of the challenges faced and inroads made.

Although the heroes of South African 'struggle' history are predominantly men, there has always been a great number of women, many feisty, strong, brave and outspoken, who were part of this struggle towards freedom for all living in South Africa. Among these women, some worked at grass roots level, while others were active within the independent women's organisations, or politically affiliated to a party, such as the ANC Women's League (ANC WL). Others were among the driving forces of the union movement, while yet others joined the military training camps outside South Africa. To honour the role women played in the struggle for liberation, the ANC in its weekly newsletter *ANC Today*, in the weeks leading up to national Women's Day in 2002 published a series of portraits of five women. Charlotte Maxeke, 'the mother of African freedom in this country' (Walker 1991, 36), the first black South African woman to obtain a degree (in America), '... developed lasting contacts with the black American community and its leaders' (IDAF 1981, 18-19). In South Africa, she became one of the founding members of the ANC WL. The mother of African freedom's profile was, not surprisingly, the first in the *ANC Today* series as once women of her stature entered the political scene 'women no longer had need of interpreters and spokesmen, but could articulate their demands and make their own representations' (URL located at: <http://www.anc.org.za/ancdocs/ancoday72002/at31.htm>).

Following Maxeke's profile, Lilian Ngoyi 'the woman who marched on Strijdom's door', was the second woman celebrated in the five part 'Women in the Struggle' series. Involved in the union movement, "Ma-Ngoyi" was a powerful personality. Hilda Bernstein, author of *For their Triumphs and For their Tears – Women in Apartheid South Africa*, quoted in the ANC's newsletter, recalls:

She stepped into these positions of leadership with the same simple, straight-forward approach with which she had faced her life. Her political understanding was based on harsh experience and acute observation. To this she brought her own gifts, a vital and dynamic personality with a flair for passionate expression, able to move an audience to tears or laughter (URL located at: <http://www.anc.org.za/ancdocs/ancoday/2002/at32.htm>).

Helen Joseph, '[...] became the first person to be put under house arrest in South Africa, on a five year order' in 1962, renewed in 1967 (IDAF 1981, 13). She eventually would become the longest banned person in South Africa and '[...] was a founder member of the ANC's white ally, the Congress of Democrats, and in 1955 was one of the leaders who read out the clauses of the Freedom Charter at the Congress of the People, Kliptown.' Working closely with Ngoyi in the Federation of South African Women (FEDSAW) as well as the Garment Workers Union (GWU), '[...] she spearheaded a march of twenty thousand women to Pretoria's Union Buildings to protest against the pass laws' that were to be applied to women (URL located at: <http://www.anc.org.za/ancdocs/ancoday/2002/at.33.htm>). Other women who were driving forces within the ANC WL, the unions or the South African Students'

Organisation (SASO) were Albertina Sisulu, Josie Palmer, Frances Baard, Ruth First, Ray Alexander, Rita Ndzanga, Thenjiwe Mtintso and Winnie Madikizela-Mandela.

As early as 1913, women protested against pass laws, their approach being marked by spontaneity, enthusiasm and informal organisational structures (op. cit., 31). The Freedom Charter, adopted at the People's Congress in 1955, states that 'Every man and woman shall have the right to vote for and stand as a candidate for all bodies which make laws' (Tyler 1995, 102). However, from its formalised inception in 1954 the South African women's movement had to align, and often submit women's issues to the greater issue of national liberation (Walker 1991, xxxi). In describing the role of women and their resistance to the discriminatory political regime, Cherryl Walker contends that 'given their subordinate status within society, as well as their primarily domestic preoccupations, women have generally been excluded from the institutions of political power and, as a result, excluded from much orthodox historiography as well' (Walker 1991, xxxii). Albeit their subordinate position, and political side-lining, women can be credited with having mounted the probably 'most successful and militant of any resistance campaign' (ibid.), namely the anti-pass protests, which drew twenty thousand women to march toward Union Building in Pretoria in 1956: 'All processions in Pretoria were banned that day, so the women walked to Union Buildings to see the Prime Minister in groups of never more than three. All Pretoria was filled with women' (IDAF 1981, 4). In the same way as the American National Woman's Party (NWP), which resorted to 'peaceful and traditional' (Kohrs Campbell op. cit., 173) tactics, South African women used conventional as well as "unconventional" persuasive tools, notably music. Hilda Bernstein, present on 9 August 1956 writes:

Their leaders went into Union Buildings and left hundreds of thousands of signatures on petition forms at the office of the Prime Minister who, of course, was not available to see them. Afterwards they stood in complete silence in the winter sun – even the babies on their backs did not cry – for thirty minutes, then burst into magnificent harmony to sing anthems, *Nkosi sikelel' iAfrika* and *Morena Boloka*. The singing, as they dispersed, echoed over the city, and the women began a new freedom song with its refrain *Wathint' abafazi, wayithint' imbolodo uzokufa* – 'Now you have touched the women you have struck a rock, you have dislodged a boulder, you will be crushed' (Bernstein in: IDAF 1981, 4).

Another event highlights the great sensitivity of one woman to use music as an argument and in doing so at "the right moment" turning it into a means to avoid violence. A member of the ANC recalls the situation just after the adoption of the Freedom Charter in 1955 as follows: "I have got in mind here great women like Ida Mntwana. When the police came she started a song and the whole Congress joined in" (IDAF 1981, 23). Women, since the 1940s, have been highly active in so-called grassroots politics and this tradition of female protest was reactivated at various times of crises. The involvement of women in predominantly local issues stems from the fact that 'the issues at stake in local campaigns – housing, food prices, permits, etc. – had a far more immediate appeal and significance to them than abstract issues of national politics such as political rights or constitutional matters' (ibid.). To the very

day, 'women in rural and peri-urban areas spend, on average, over an hour every day fetching water' (<http://www.anc.org.za/ancdocs/anctoday/2002/at32.htm>). What makes the case of South African women in politics interesting, is this dichotomy between radically diverse needs and lifestyles, politically and rhetorically silent and eloquent women, a 'cult' of the feminine, celebrating women and the female spirit and 'muted' women, silenced by 'culture' and society and *apartheid* and its legacy on the other. Although, this chapter provides an overview of women's rich, creative and diverse rhetoric, pointing toward some of the numerous dominant and outspoken activists, who defied 'tradition', male domination, and an oppressing regime; who were part of building the 'new South Africa' it is not enough - they still need to be studied, their rhetorical efforts still need to be added to the canon of anti-apartheid historiography and rhetoric.

In America, World War I had a lasting effect on women's role within society, seeing that 'by involving women deeply in the war effort, it had eroded sex prejudices in men and in women' (Kohrs Campbell 1989, 168). Similarly, in a number of African countries which fought for national liberation, women played a significant role. Joining the ranks of the liberation army, they were treated as equals for as long as the war lasted. 'It is fair to say that the exigencies of engaging in national liberation struggles [...] required women's active involvement, whether or not the struggle included a commitment to women's liberation' (Mama 1995, 37). Once the war or struggle is over, women were expected to go back to pots and pans and rearing babies, as the Zimbabwean film *Flame* exemplifies. South Africa's situation, differs as there were no clear camps of victors and vanquished. Instead, a compromise was reached, a negotiated settlement, which provided for power-sharing and elections to be held, allowing all South Africans to vote, and stipulating that a new constitution be written. The South African constitution is one of the most progressive in the world and has embraced non-racialism and non-sexism in its founding provisions. South African society, at all levels, is, however, still highly patriarchal. 'An assumption that once women enter the Parliamentary sphere, they may freely participate without any constraints is erroneous.' Indeed, 'Parliament is as patriarchal as many other institutions in society' (CGE 1999, 38). In a number of African countries, 'femocracy – an anti-democratic power structure which claims to exist for the advancement of ordinary women, but is unable to do so because it is dominated by a small clique of women whose authority derives from their being married to powerful men, rather than from any actions or ideas of their own' (Mama op. cit., 41) has become an encroached trend, notably in Nigeria and Zimbabwe.

Prior to 1994, only few women had entered South African state/Parliamentary politics, even fewer of them had made their mark there. Helen Suzman, the *grande dame* of South African politics, representing Houghton, her constituency in Johannesburg, became the longest-serving MP. For thirteen out of the

thirty-six years she served, she was the sole 'Prog', the only MP of the Progressive Party (Suzman 1993, 61), and with great factual insight and a sharp tongue, relentlessly opposed the National Party regime:

In 1974 Vorster made a speech in which he asked the world to 'give us six months', implying that change was in the offing. I told him he had aroused great expectations in the United States (...), and I advised him as one golfer to another that having made his backswing he had better follow through. (Suzman 1993, 80).

Other female MPs who later, in the 1980s, came into Parliament and never exceeded more than three per cent were often of the *poppie*³⁴⁰ type. As this popular term suggests they performed a decorative, rather than participatory role. In 1994, however, change, ubiquitous at all levels of society in South Africa, also affected Parliament. Of the four hundred MPs one hundred and nine, or twenty-seven per cent were women, including the speaker of the National Assembly, Frene Ginwala. South Africa jumped to seventh in the world, and second, following the lead of Rwanda, in Africa in terms of representation of women in Parliament. In 1999, this figure increased by ten to one hundred and nineteen or thirty per cent female MPs. More importantly, while few higher ministerial positions, committee chairs or chief whip titles had been given to women in the first Parliament, in 1999 the number of women chosen as ministers and deputy ministers doubled: of the twenty-nine ministers and thirteen deputies, respectively eight were women. The last election, held in April 2004, has seen a continuation of this trend, as the number of female MPs swelled to one hundred and thirty-three or 33.25 per cent, twelve of the twenty-nine ministerial posts are held by women as well as ten of the twenty-one deputies. As to the National Council of Provinces (NCOP), in which each of the nine South African provinces is represented by six members, the chairperson was, until the death of Joyce Kgoali, like in the previous Parliament, a woman and the number of female councillors has risen to thirty-five per cent. What is unique to the South African Parliament is that unlike in many countries, where women in power – Corazon Aquino, Benazir Bhutto, Condoleezza Rice come to mind – come from the élite, top class of society or have connections to important men, the women in Parliament in South Africa come from all walks of life, are representative of all layers of an incredibly diverse society (AWEPA 2001, 20). Occupying a unique position among all these, is the "formidable Mrs T", the iron lady – triumph and demise of feminism all at once – who came from a humble background and rose through the ranks. In the case of South African female MPs, some have doctorates and professional backgrounds, but a great number has not received more than basic education:³⁴¹ one former MP from the Free State, Mrs. Mietha Coetzee-Kasper, moved from working in a *Shoprite* supermarket to the benches of the National Assembly.³⁴² What furthermore makes the South African case interesting, is the fact that the portfolios women hold also include those areas usually considered 'male domain'. Although currently all chief whips are men, the number of women chairpersons for committees and

³⁴⁰ *Poppie*, from *pop*, which means doll in Afrikaans; slightly ironic and condescending denotation when used for an adult woman.

³⁴¹ Interview 4: Marina Griebenow, 4 June 2004.

³⁴² *ibid.*

joint standing committees has been increased. In the present government there is no female Chief Whip but a number of women hold positions of whips³⁴³ and the IFP's Sybil Ann Seaton is Deputy Chief Whip.

There are a number of criteria that are listed in comparative studies of women in Parliament but before looking at Parliament as a site of deliberation and women's deliberation, what applies to the South African political context will briefly be outlined.

issue around quota

South Africa does not have a quota system. The ANC is the only party that voluntarily has set itself a quota of thirty per cent. Some ANC members, though currently lobby for a fifty per cent quota. It has, however been argued that quotas may have the same adverse effects and hold the same challenges as does affirmative action.

electoral system

In terms of the electoral system, South Africa - like the Nordic countries - has adopted the system of proportional representation. Whereas it does bear more advantages for women, 'the system is only helpful to women if parties are committed to gender equality and use the system to promote women' (AWEPA 2001, 24). Only the ANC and the PAC in their party manifestos had special sections on women. Political analysts during the recent election campaign did however lament the fact that 'women were not really part of the election debate.'³⁴⁴ A study published in 2001 found that 'although the majority of voters for two of the main political parties (ANC and NNP) are women, women are poorly represented in the party structures' (AWEPA op. cit., 25). It has been argued that women need to be represented in sufficient numbers in order to achieve any significant change. Thirty per cent in this context is generally regarded as critical mass. What then, has been the role of women in the South African Parliament? What is special about the women who have come to Parliament post 1994? Women generally bring in special knowledge and experience and as a consequence often focus on so-called 'soft issues'. Martha Olckers, former MP for the NNP and current ambassador to Germany, notes that 'there is much more practical discussion in meetings with women around. We are also

³⁴³ The ANC's Semamanyane Dorothy Motubatse-Houunkpatin, Elizabeth Thabethe, Annalizé van Wyk, Maggie Margaret Maunye, Makatse Sophie Maine, Cornelia Carol September and Jabu Elsie Sosibo.

³⁴⁴ Christelle Terreblanche, 'Women 'are being left out of election debate', in: Sunday Argus, March 28, 2004, p. 8.

focusing more on issues affecting women such as equality, rape, abortion – these have been very neglected in the past' (GAP 2001, 21). The ANC's Mabel Mentor commenting on how women differ from men in the topics they will deliberate, observes that 'often they have facts, but their facts are more gender relation facts than global issues and yet, you find men, when they speak, they will speak about gender relations, about the economy, they will speak about conflicts in the world and all sorts.'³⁴⁵ Dorothy Sayers, speaking some thirty years ago, gives her view of the problem

In the old days, it used to be said that women were unsuited to sit in Parliament because they "would not be able to think imperially." [...] their views would be cramped and domestic - in short, "the woman's point of view." Now that they are in Parliament, people complain that they are a disappointment: they vote like other people with their party and have contributed nothing to speak of from "the woman's point of view" - except on a few purely domestic questions, and even then they are not all agreed. It looks as though somebody was trying to have things both ways at once. [...] women are human beings and obliged to think and behave as such. I can imagine a "woman's point of view" about town-planning, or the education of children, [...]. But what in thunder is the "woman's point of view" about [...] the abolition of the Danzig Corridor? (Sayers in: Corbett op. cit., 1990).

Nevertheless, South Africa has fewer gender stereotypes than most countries. One of the ANC's most senior female members who underwent military training as well as prison term and solitary confinement, Thandi Modise, was the chair of the portfolio Committee on Defence during the second Parliament. An outstanding and strong woman, she was also able to stand her ground when addressing old cadres of generals and was a strong speaker in the National Assembly. Now in this third Parliament, the departments of Agriculture and Land Affairs, Home Affairs, Justice and Constitutional Development, Water Affairs and Forestry, as well as the Safety and Security's deputy ministerial posts are held by women. In the case of Foreign Affairs and Minerals and Energy, both ministerial and deputy posts are held by women. With regards to the ministers of Agriculture and Land Affairs and Minerals and Energy, one needs to underline the fact that these women head demanding posts. While the former has to tackle the highly charged issue of land claims, the latter is operating in the traditionally all-male domains of the mining industry and the energy sector where South African women slowly are making inroads. Both ministers have, however, fared very well and have been re-nominated for a second term in office.

rules and procedures

Knowing the rules that guide Parliamentary life and procedures is of immense significance. When in 1963 the notorious Ninety-day detention law was to be voted on, Suzman's was the only voice of objection:

³⁴⁵ Interview 3: Mabel P. Mentor, 1 June 2004.

My lone 'No' was heard. 'I think the "Ayes" have it', said the Speaker. And I stood up and said, 'Divide', this forcing a physical division. As procedure laid down, the bells of Parliament rang for three minutes, Members streamed in and took their seats. The doors were locked. The Speaker stood up and said, 'The question before the House is ...' and put the question, and ordered those in favour to take their seats on his right; those against, on his left. I sat alone in a sea of empty green benches, while the whole of the official opposition crossed the floor and packed themselves in among the Nationalist MPs. It was a dramatic sight (Suzman 1993, 92-93).

Following the negotiated settlement and high levels of violence in the country, the elections held in 1994 brought some respite and even peace – something many within and outside South Africa had not conceived possible. Once in Parliament, the newly democratically elected MPs fully reflected and had the mandate to represent the new South Africa. These were times many senior MPs look back to full of nostalgia. Former enemies sat next and across each other in the same chambers and boardrooms and had to establish a *modus vivendi* and *operandi*. For the members of the ANC, it was for many also the first time they could engage with their leadership who had been either imprisoned or in exile for many years. Intellectually, this time was dynamic, dense and challenging, as an incredibly vast array of issues were debated within and especially across party lines. For the majority of MPs, Parliament was an unfamiliar environment. Zoliswa Kota from the ANC

... still has a sense of wonderment about being a Member of Parliament.' "I never dreamt I would be in these chambers" [...] It's been more of a shock. I was used to protesting outside the gates of Parliament, not being inside" (GAP 2001, 14).

Women in Parliament often take their work very seriously, are driven by a strong sense of justice and care about their constituencies and making their voices heard. Effectively, their role is that of a bridge, equalising and connecting. 'The portfolio committee system, with meetings open to the public and inviting public participation, is an important one' says Kota, adding however, that 'Not everyone is aware that they can come to Parliament and make a contribution' (GAP op. cit., 15). For all those coming from an activist and grassroots background, the formal ways and the rules of Parliament can be challenging. Mentor referred to her days as an activist as the time when she learnt to address an audience: 'I've addressed rallies with thousands of people at a very young age,...'³⁴⁶ It takes however more than merely time to shift from addressing an oppressor and a homogenous audience, to speaking in front of opposition parties, sitting right across the chamber...One Parliamentarian and former activist said that 'from the background where there was lots of music at the rallies that we sing, lots of poetry, lots of *toyi toying*.³⁴⁷ But Parliament is like a dead place. When you stand up people just heckle. They don't know what you are going to say but because you are (a particular party), the (other party) just shout at you. It was difficult for me to adjust. I spent a lot of time crying' (AWEPA op. cit., 27).

³⁴⁶ *ibid.*

³⁴⁷ *Toyi-toyi* is a form of dancing-march, traditionally performed before going to war. It featured in most marches and rallies - and still does. It often was performed at funerals, such as of the *Gugulethu Seven*, captured in the documentary *Amandla! A Revolution in Four-Part Harmony*. In the new South Africa, (white) teachers *toyi-toyi* for wage increases.

education, skills and language

Another challenge to many, especially those with little formal education, was the legal language required to follow and conduct Parliamentary work. 'Further, Parliament's rules say that MPs can speak in any of the eleven official languages. But most of the debates happen in English. And most of the many, many documents, which Parliamentarians must read are in English. This is not the home language of most new Parliamentarians' (AWEPA op. cit., 27). Most Parliamentarians at this stage have acquired proficiency in English but once emotional issues, such as the land issue are raised and discussed, MPs usually switch into their home language and an often much more vibrant and expressive mode of delivery can be observed. The Minister of Foreign Affairs, Dr Nkosazana Dlamini-Zuma, is known to frustrate the opposition by switching to Zulu, whenever she does not want to answer a question.³⁴⁸

A study undertaken by European Parliamentarians for Africa (AWEPA) found women MPs lacking in English language skills, as well as reading skills. They were also found to be in need of training in public speaking, legal management and finance training, acquiring knowledge of Parliamentary procedures as well as how to read a budget (AWEPA op. cit., 27). Amongst the new women Parliamentarians who joined Parliament in 1994, some who joined the finance committee 'realised that the budget could be an important tool for gender equity.' This led to the Women's Budget Initiative (WBI), which 'uses research and advocacy to argue that the budget must be spent in a way that takes forward gender equity. One of the main aims of the WBI is to empower Parliamentarians and civil society to take part in budgetary debates, to raise gender issues in such debates and to influence budget allocations' (op. cit., 32). Lack of skills and confidence, intimidation and discrimination in some instances led to women speaking less than men in Parliament. Given that since 1994, the number of women in Parliament has steadily increased by three per cent after the 1999 elections and those held in 2004, women's voices should be heard more often.

challenges of parliamentary life and the media

There are two areas in which women seem to face more obstacles than their male colleagues: women in Parliament are more often negatively affected by such factors as distance to family and combining work schedule, late work hours, and family life (op. cit., 29). How crucial a role the media plays is highlighted in Suzman's *In no uncertain terms* where at the end of her memoirs, under a section entitled dedication she first writes 'to the men and women in the Press Gallery who gave me invaluable coverage over the

³⁴⁸ Interview 4, op. cit.

years', and then goes on to individually list thirty-four journalists (Suzman op. cit., 292-293). South African media, itself still in a process of transformation, is responsible for being biased toward women, for vilifying some of the female senior members of government, regardless of their performance. The media furthermore fall short of representing female MPs adequately and not merely when their deliberations centre on women's issues (AWEPA op. cit., 30). As much as women need to be trained in media communication skills, the media need to broaden its discourse and widen its angle when it comes to covering political protagonists in this country. Research undertaken before South Africa's national elections in 1994 and 1999 found that women politicians were rarely used as news sources or as party spokespeople. In 1999 women were the source of only eight per cent of news stories. [...] This works against women, as there are very few women in high positions within political parties. It also gives the impression that only men are leaders or have the knowledge to speak about key issues. Some women MPs have a high profile in the media, but this is because they have developed personal and professional links with certain journalists over a period of years or have some experience in dealing with the media. Women politicians do not fit into society's image of the traditional woman – women as housewives and mothers. Women politicians are a problem to the media, because they are challenging the authority of men.³⁴⁹ In some instances, entering politics full-time was a challenge some relationships and marriages of female MPs did not sustain. Of the six women addressing the joint sitting, none was quoted in the media.

Clearly there is a need to go beyond numbers, as former MP Melanie Verwoerd put it, 'We must go beyond numbers. We must stop making history and start making policy.'³⁵⁰ How has Parliament changed since the increased number of women in the house? What have women achieved? What have they done with their power and when and how and how effectively have they raised their voices in Parliament?

When women came into Parliament in such great numbers there were few facilities for them, including toilets in some of the buildings or floors. Some male toilets were converted to female toilets; a Parliamentary day-care centre was established; and the Parliamentary programme and sitting times were adjusted to take women's requirements and needs into account.³⁵¹

Dene Smuts is one of the most senior female members of Parliament and when she joined Parliament more than a decade ago, became the first female whip. She qualifies the situation as follows:

³⁴⁹ AWEPA, p. 37.

³⁵⁰ Thenjiwe Mtintso, Women in Politics - The case of South Africa, in: Women in Politics and Decision Making in SADC: Beyond 30 per cent in 2005, Report of the proceedings of a conference held in Gaborone, Botswana, 28 March - 1 April 1999, published by Southern African Development Community (SADC) Gender Unit, Gaborone, 2000, p. 44.

³⁵¹ International IDEA Women in Politics: Women In Parliament: Case Studies, URL located at: <http://www.idea.int/women/parl/studies5a.htm> page 5 of 6, viewed: 27 May 2004.

Before 1994 there were about five women out of 300 MPs in the House of Assembly. [...] Parliament has changed and it's become more participative. It's good that women are now in Parliament because women are better equipped to bring about changes for women in South Africa.³⁵²

According to the South African constitution, 'the National Assembly is elected to represent the people and to ensure government by the people under the Constitution. It does this by choosing the President, by providing a national forum for public consideration of issues, by passing legislation and by scrutinising and overseeing executive action.'³⁵³ President Mandela, from the first joint sitting held on 24 May 1994, committed South Africa's first democratic and representative Parliament to gender equality and women's emancipation.³⁵⁴ Indeed 'women's groups and women Parliamentarians have had several important achievements since 1994. Parliament has done several things which directly benefit women.' Amongst these are 'the women-and equality-friendly Constitution', 'introducing the idea of gender analysis of the budget', 'introducing separate taxation for married women and men', 'relaxation of abortion laws', 'the Domestic Violence Act', and 'all laws are now also written in non-sexist language' (AWEPA op. cit., 40).

Before looking at women's deliberations more generally, one specific case study which combines Parliamentary procedure and deliberation will be looked at: the maiden speech. As stated in chapter three, Mabel Mentor did not shy away from raising controversial issues and expressing critique while delivering her maiden speech; she did not cede the lectern easily and was cheered at once she finally proceeded to her seat, beaming and shaking the many hands extended to her. During the interview conducted with her, she gave insight into her approach toward making and writing speeches, matters of style, advantages and disadvantages of being a female MP, as well as a personal account of the circumstances surrounding her maiden speech:

I think – I was, – like I said, there were points when I was crying when I was preparing it. I was nervous not to break down. When I, in fact, the people who were preparing us knew it was a painful process, from the ANC side, those of us who participated had been, all of us, seriously hurt by apartheid. [...] so my nervousness was about emotions, hold my emotions and not show the public that I'm still hurt and that I'm still crying.

[...]

I've addressed rallies with thousands of people at a very young age, so it had nothing to do with the audience, it had a lot to do with my emotions. Also, I had chosen not to go to the TRC because at inception I questioned the effectiveness, whether the process was going to give effectively account for what happened. So, I took a decision

³⁵² Parliamentary Information, chapter 8, 1994-1999 Dene Smuts, URL located at:

http://www.Parliament.gov.za/pls/portal30/docs/FOLDER/PARLIAMENTARY_INFORMATION ... Accessed: 12 August 2003.

³⁵³ The Constitution of the Republic of South Africa, 1996, Act 108 of 1996, see chapter 4, 'Composition of Parliament', p. 27.

³⁵⁴ International IDEA Women in Politics: Women In Parliament: Case Studies: Mavivi Myakayaka-Manzini, Women Empowered - Women in Parliament in South Africa, URL located at: <http://www.idea.int/women/parl/studies5a.htm> page 1 of 6, viewed: 27 May 2004. info on nature of sitting on 24 May obtained in: National Assembly Guide to Procedures 2004, Foreword, p. i

not to go and I had hope that I would heal on my own. I was happy the ANC is in government, I was happy we have a chance, I knew, and I knew, time heals and in work, in getting a chance to build South Africa there was a great chance of healing and reconciling, so – because I didn't go to the TRC debating on, – being chosen was a privilege and an honour, gave me a second chance to speak. [...] I knew it might be, the only chance coz I had missed the first chance of going to the TRC, I knew it might be the only chance I'll ever have.³⁵⁵

The question 'Are you happy it wasn't a debate?' and concern regarding the lack of debate, excluded by the rules guiding the joint sitting, was not understood. Responding, Mentor said 'Yes. I'm happy – I don't know what you mean that it was not a debate.' Once discussion on Parliamentary rules and procedures were underway, she defended the lack of debate and voting on the matter, and expressed her support of the chosen format as it was conducive to consensus:

We are still healing from apartheid. I'm personally, I'm not healed. I would be offended if I sit and I see somebody vote against the feelings I went through, reduced that to a yes I vote for, no I don't vote for. It would afflict me even worse. So I think it was a good thing it was not voted on. [...] It's always better to do things by the way of consensus.³⁵⁶

She furthermore stated being happy about how she had in the end delivered her first address. Albeit affirming that she would not like to have changed anything about the content and delivery of her speech, she said:

If you listen to it I asked what is a maiden speech. [...] I would not have liked it to be referred to as a maiden speech. I am still questioning why first speakers in Parliament are referred to as making maiden speeches that's the only thing. And not only related to, I was still asking the same question this morning, [say] is it a gender stereotyping thing to say that a novice is a maiden and is a woman in politics.³⁵⁷

Asked about advantages and disadvantages being a woman in politics bears, she had the following to say:

You see, if I belonged to another political party other than the ANC it would have been, I'm sure much more difficult for me to adapt to rules here, but being a member of the ANC, I bring with me, even when the rules are difficult, or when the situation is impossible, I know that there are different *fora* that are there right here in Parliament where I can go to, to say, I don't agree with this rule or I don't agree, or help me overcome this problem, so, I think myself as a woman and as a member of the ANC, I meet other women from other political parties, for instance from the IFP, there is a doctor that I am very close to, we confide in one another on many issues because we serve in the public service and administration, we used to in the previous term. I would note that when she comes to me with her frustration I would always say to her, you know doctor, you're in the wrong party. So, for me the ANC and how the ANC does work and how it develops people and how it appreciates any problem – for me at any given time I can knock into the chief whip's office and say look, the manner in which I'm going to present, this rule creates a problem for me, I would not be able to come across to the way I want to and I know as much as he knows that it is his responsibility to assist me, or to find somebody who'll assist me straight away with circumventing that rule. So I think from my observation it's easier for women in the ANC, they have a free reign in circumventing problems that are presented by the institutions and women in other political parties, maybe the issue of their small numbers is a problem so they have to adhere to strict, eh, you know, but with me I think the posture of my organisation is such that I have freedom to be assisted through whatever obstacles I come across in terms of putting things the way I want to put them (ibid.).

³⁵⁵ Interview 3, op. cit.

³⁵⁶ ibid.

³⁵⁷ ibid.

Parliamentary rules and procedures, as can be seen in the case of the maiden speech, but also for joint sittings, do make binding provisions on how political affairs, as well as deliberations are to be conducted. According to Mentor, her approach to and her way of addressing an audience since coming to Parliament has not changed significantly:

Actually I think I can contribute a lot in assisting others. To me, from the ANC as a political party and an organisation, I've been taught, right from many years even in the UDF that one basic thing that you have to do, when you are going to speak is to analyse your audience, is to say who is your audience, is it a homogenous audience is it a heterogeneous audience. If I must stratify them according to age, according to sex, according to profession, so for me it is an inherent thing, coming from the ANC, in relation to the message you're bringing, what would be the best way to reach and to penetrate this audience. It must not be an important message but if you miss the character of your audience you will not make an impact even if you are carrying a very good message, so my history in the progressive movement makes it very, very easy and I think I can play a role in making it very easy for all other people, all other women, even in other political parties to make sure that if you are given five minutes of speaking it helps a lot to know your audience and to adjust your message according to the level and the nature of your audience. I think that is the basic starting point (ibid.).

She gave further insight as to speech planning, writing, influences on her theoretical outlook on politics and policy-making. With regard to the former, namely speech writing, she conceded being to a large extent influenced by Thabo Mbeki:

I like his style of writing, I like his systematic way of arranging matter. Even when people were saying he's philosophical, to me he was not – I like his structure.

What I do normally before I write a speech – I do my own research and I write my own speeches, so what I do, I think first, I spend about three hours just doing a mind map. The issues that I would like to, the main frame, where do I want to start, what is the introduction where is the body, and what is the conclusion, but what is the striking message that I want to people to get. Then I go into the ANC strategic position on those issues and I go as far back as I can and I check whether we have deviated.

[...]

So, Thabo Mbeki has of late, for the past seven years or eight influenced my structuring of what I say, but the ANC positions are the second, my favourite thing is to check how far are we from the original position, and I deliberately go out of the way to, to if I think that we have deviated on an issue, to strongly agitate what's going back to the original position so, that's how I, but normally I always say that I want everybody to remember two or three things that I say, only two or three things if not one. [...] I try to do three things, to project my main message, to evaluate what we are doing currently what we said we would do many years ago and to agitate for either more speed [Lechasa coughing] or more focus but Thabo Mbeki he influences me a lot.³⁵⁸

With regards to the question whether women speak differently than men, Mentor had the following to say:

I think women should articulate the same issues but I think they can articulate them in a different way. [...] So for me we can say the same thing, but always the, I don't want to say the feminine angle, but there would be issues that would strike women more than they would strike men, of course that would give them a leverage to articulate some things in a stronger way than men.

³⁵⁸ ibid. Fellow MP Lechesa Tsenoli sat in during interview. Driven by a genuine interest in (women's) rhetoric?

Mentor also gave insight into how she feels about quotas and how whether she regarded it difficult for women to "have a say":

[...] I always make it my business to watch if there is enough encouragement, if the policies are in place but if there is a deliberate encouragement for men and women alike to create speaking time, women in assisting them in preparing, in articulating themselves, in projecting themselves, [...] so, in the ANC it doesn't matter whether we are fifty or we are five in terms of quotas, not only in terms of speaking but whenever we sit, or whenever we do a project together, we have to make sure that women participate, [...] or even to engage meaningfully is the task at hand.

[...]

for me I have always seen the advantages, used them maximally, the advantages of being a woman. [...] always on the lookout for the spaces created for me, I think many women are missing out, because they concentrate on the things that are bringing them down. In any situation in South Africa today you can argue from a gender perspective and judge your way through. So for me it's an advantage that I can be here and say to Lechesa, "I'm menstruating and I have menstrual pain, if my work, is not so satisfying, know that I am in pain right now". So, I will urge women to always look for the advantages, for me the advantages outweighs the disadvantages, [...].

For Mentor, being a woman is indeed an advantage, indeed her womanly ways if necessary can be turned into a woman's weapon, are useful even when dealing with the Head of State:

For me, with my gender, I can go to the president and say, president, for the past five years, or the past ten years you have been agitating for gender equity and equality, can you give me a hearing because I am a woman. And if he refuses, Are you refusing to listen to me because I'm a woman? I can be as silly as that to get a way through to secure an appointment in his diary. But I can say I want you to explain to me why have you shifted Lindiwe³⁵⁹, just an example, from intelligence to housing? For me I see advantage in everything I can, use the gender advantage to get, to pose whatever question, to raise whatever complaint, to demand whatever service, or whatever attention.

For Mentor, the key to women reaching independence and positions is education:

I believe in informal education, more than I believe in formal education as much as I am a professional, trained as an educator. You would never find me speaking and not referring to education. Deliberately or accidentally. [...] education is the greatest equaliser or dis-equaliser. So, we can do all things, if we fail on education, we will never attain whatever objectives we are setting out [...]

There is a vast cultural and political divide between Ms Mentor and Sandra Botha from the DA, not only regarding their understanding of what debate entails. Asked about what for her, being a woman in politics was about and in particular in South Africa, Botha contended that:

It's fairly easy, it's quite popular to be a woman in politics in South Africa, you know, it's the flavour of the month, I don't find any burden in reaching positions, I don't find any barriers and I think if you look at what has been done in public life by the state they have set the example of what's been followed everywhere. But there, the society at large, although they accept that, I think once you're out of your professional life and in ordinary social life you do still find, I think still quite a lot of entrenched male prejudices.³⁶⁰

³⁵⁹ Mentor is referring to Lindiwe Sisulu who has been appointed Minister of Housing in 2004 after having held that position in the Department of Intelligence.

³⁶⁰ Interview 2: Sandra Botha, 26 May 2004.

Both do however agree on the fact that women tend to 'drive particular issues. Women's issues.' Mrs. Botha believes that women do have a different approach to deliberation in public,

Ja, I do think you do see a difference, you see, and I think sometimes women take the softer issues, if we can call them that, they, I listened to a woman speaking in Parliament yesterday who made her maiden speech from the ANC, and her approach was very fuzzy, but perhaps that's not because she was a woman she spoke a lot about women, about specific women's issues, I imagine a great many of the men can speak as fuzzily...., so perhaps I am unfair, perhaps it depends on personality not gender.³⁶¹

On the other side of the political spectrum, Ms Mentor said that 'Ja, I know South African women will kill me for making that, but I might be wrong but I would like them more to speak about global issues, national challenges.'³⁶² Furthermore, she stated

I can't say that men are necessarily the best speakers factually or what, but one thing I've noticed about women and about people with disability. My observation, which might be wrong, women feel compelled to spend the bulk of their speeches on gender relations and gender issues, you know, I would like them to do that but I would like them to speak about national issues and international issues more.

You can still speak on international issues and give them a gender dimension, [...] I don't like it when women whenever they open their mouths, the quota, the gender framework, the you know, I want women to [...] to talk about what was discussed in the Security Council of the United Nations yesterday and maybe to do a gender analysis of that discussion that happened in the Security Council, for me that's the only thing but even if they have facts – often they have facts – but their facts are more gender relation facts than global issues and yet, you find men, when they speak, they will speak about gender relations, about the economy, they will speak about conflicts in the world and all sorts. The same goes to people with disability, [...] bring your disability angle, bring your gender angle into this, bring your children's worries in too – I think we can do better than this. Myself, whenever there is, whether it's soccer, whether it's rugby, I want to be able to participate at least functional knowledge of the necessary things in life. I don't want to be talking about gender relations all the time.³⁶³

Rita Ndzanga, a veteran of South African women activists, during the Women's Parliament, made it obvious that women MPs must bear in mind how vastly different in terms of socio-economic composition, South African audiences can be. As much as she spoke from experience, she also revealed what memories shape present audiences' perceptions: 'Madam Speaker during forced removals communities do not only have their homes destroyed, they also lost their cows their sheep and their chickens, as they had to leave these behind' (URL located at: <http://www.anc.org.za/ancdocs/speeches/2004/sp0817c.html> accessed 9 October 2004). When the question was posed to Mrs. Botha, whether there were defined differences with regard to deliberation between female and male MPs, she replied:

No, no, I've gone in my mind through various speakers, some speakers know their subject matter better – it's style. I tell you where men have an advantage it's in the timber of their voice. It carries weight. And it sounds convincing. I really think that makes a difference. A high-pitched voice, and women fall in that higher register, and does not carry that kind of conviction which a lower voice does and if you think of charismatic speakers, ehm, this terrible

³⁶¹ *ibid.*

³⁶² Interview 3, *op. cit.*

³⁶³ *ibid.*

character Eugene Terreblanche, who is now in jail, you remember Eugene, and he had this magnificent timber to his voice which was kind of, ... carried you along.
A person who has a wonderful speaking voice, is Naledi Pandor. And I think that is an advantage, but that is not tied to her sex it's more likely to be with men because they have deeper voices.³⁶⁴

As mentioned previously, Ms Mentor, when it comes to matters of style and composition, is influenced by and finds inspiration in Mbeki's presidential rhetoric and poetic style. Analysing Elizabeth Cady Stanton's famous speech *The Solitude of Self*, first delivered in 1892, Kohrs Campbell concludes that it '... was a rhetorical act that achieved its ends through poetic means' (Kohrs Campbell, op. cit., 143). During the Women's Parliament held in August 2004, Minister of Water Affairs and Forestry, Mrs. Buyelwa Sonjica used a poetic passage from one of Tsitsi Dangaremba's books to highlight the effects of the 1913 Land Act:

... a Zimbabwean woman writer who says about land dispossession – "wizards well versed in treachery and black magic came from the South and forced the people from the land. [...] At last the people came upon the grey sandy soil of the homestead, so stony and barren that the wizards would not use it."

Further into her speech, she sums up: 'the situation I have described above was a double-edged sword for women who suffered both class and gender discrimination. Indeed they suffered as a consequence of the poverty of blackness on one and the weight of womanhood on the other' (URL located at: www.anc.org.za/ancdocs/speeches/2004/sp0817.html accessed: 9 October 2004). Minister Sonjica's use of poetic language may well have been influenced by the fact that as part of the Women's Parliament 'Seventy-five women from rural and peri-urban areas of South Africa will engage with Members of Parliament.'³⁶⁵ Besides the land issue being emotionally charged, to these women, used to oral tradition and modes of transmitting history, this passage may have made a greater persuasive impact.

Querying the issue concerning women's voices, revealed that timbre can indeed be of great significance. A Member of the DA with an unusually high-pitched voice, has in the past whenever addressing the House, been ridiculed by female MPs miaowing. None of the male MPs seem to have taken part in this cat-calling, but even though the Speaker reprimanded the offenders and given them a warning, they were not caught.

An observation made by Sayers in 1971, still applies today 'we are much too much inclined these days to divide people into permanent categories, forgetting that a category only exists for its special purpose and must be forgotten as soon as that purpose is served' (Corbett op. cit., 325). Strongly objecting to the concept of a "woman's point of view", Sayer urges to make a distinction between 'special *knowledge*

³⁶⁴ Interview 2, op. cit.

and special *ability* (Corbett op. cit., 323). Kohrs Campbell points toward women's special skills and a 'the use of examples', which she considers 'often of the characteristics of "feminine style" [...]' (Kohrs Campbell, op. cit., 150). Around the time of World War I, Shaw 'claimed that women preferred talk, based on the example of the International Suffrage Association meeting in Rome, at which women from nations that would shortly go to war had been able to cooperate' (Kohrs Campbell, op. cit., 163). Finally, as could be observed with the speech Mentor delivered, humour regularly features in women's deliberations. Referring to Shaw, Kohrs Campbell observed that her

humour was often devastating to her opponents and to men, but as she presented it, it became a means to confront male voters without alienating them. She induced listeners to laugh with her – sometimes at themselves. She was particularly skilled at using humour to refute arguments, often by highlighting their internal contradictions (Kohrs Campbell op. cit., 160).

Helen Suzman, unlike Maggie Thatcher, had a sharp and witty tongue. Not surprisingly after meeting her in 1991, she marvelled at her powers of endurance and her courage, but added 'what she lacks is a sense of humour' (Suzman op. cit., 273).

While women may in some ways be disadvantaged by human biology, they seem to also bear special skills, for instance in the domain of negotiations. Botha recalls a visit to the Congo, as well as the talks about the new South Africa, held in the early 1990s, where women did play a significant part:

[...] women involved in CODESA and women there involved in multi-party talks, their different angles that you can go toward finding settlements. And that was a women's initiative. [...] Women are good at it. Women are good at negotiating. They are, in the ways that they are raised in their families they learn to do that, whereas men tend to sort out things at a physical level more often than we do.³⁶⁶

This sentiment is corroborated by Sybil Seaton, MP for the IFP: 'I also think the involvement of women has brought a different viewpoint into the discussions. We are probably more used to playing dual or multiple roles than men, and in that respect the debate has been enhanced.'³⁶⁷

A further asset women bring to the august houses of South Africa's Parliament is their diversity. Botha for instance prides her Afrikaans heritage: 'We are pioneer stock. We have been engaged at the cutting edge of politics in South Africa for centuries. Afrikaans people are realists, pragmatic.'³⁶⁸

³⁶⁵ Reflecting on and Celebrating 10 Years of Democratic Parliament - What has it meant for women? Programme forwarded by Martin Tsheoli, Public Relations Officer, Parliament of South Africa, 2004.

³⁶⁶ Interview 2, op. cit.

³⁶⁷ Women in Parliament, pp. 18 & 19.

³⁶⁸ Interview 2, op. cit.

skills and expertise

One of the most recurrent issues raised in the literature and by women themselves is the lack of skills and expertise on a vast range of topics and deriving from this, authority, which in rhetoric would correspond to *ethos*. There are however a number of women in Parliament who have managed to gain respect and make a reputation for themselves not only by trying to convince their colleagues through hard work, informed statements and inputs but also oratorical skill. Raenette Taljaard, the youngest MP to have been sworn in to Parliament was also one of its most outstanding female members. Botha does not hide sympathy and respect for a woman who while still MP for the DA and party spokesperson for finance, frequently 'gets the ANC up in arms.' She is not only 'razor-sharp' and has an 'impressive intellect' but 'uses her womanly ways'.³⁶⁹

One of the most emotive and memorable speeches to have been held in Parliament in the recent years is that of an otherwise fairly unknown female ANC MP. During a debate on HIV/Aids, Ruth Bhengu addressed the assembly: 'Madam Speaker, my speech is dedicated to my daughter Nozipho Bhengu, who is HIV-positive and who is up there in the gallery today.' Given the stigma attached to the HIV/Aids pandemic in South Africa, and the President's dubious statements on this, by its nature scientific matter, this was an incredibly powerful and courageous statement to make. In a very personal manner, she recounted her experience but also shed light on the plight of millions of South Africans, affected by this disease:

A person in an informal settlement without a plate of food to eat, no warm blanket to cover her body, no psychological counselling, [...] who is ignorant about HIV/Aids, who cannot access information, is far worse off than Nozipho. That is where the link is between poverty and Aids. [...] No person can take a pill on an empty stomach.³⁷⁰

Given that President Mbeki had stated that poverty was the cause of HIV/Aids, this was outright defiance. Although her speech attacked the President's policy, her aim was not to divide government around this issue but to unite in the fight against Aids: 'My appeal to Parliament is that members should stop politicising the problem of HIV/Aids and begin to see it for what it is, a national issue. All South Africans, irrespective of their ideological, religious and political beliefs, should unite, hold hands and fight against Aids.' She also pleaded that 'Members of Parliament should, as part of their constituency work, be part of caregivers' support groups to families infected and affected by HIV/Aids.' Although a significant number of MPs and even ministers have passed away in recent years, and their obituaries were but euphemisms of the four letters on everybody's lips, officially Parliament is not

³⁶⁹ Interview 4, op. cit.

³⁷⁰ Marina Griebenow kindly drew my attention to this speech and her colleague Debbie Billy provided a copy of Hansard transcript. Speech by Nozabelo Ruth Bhengu was delivered 10 May 2001.

affected by Aids. Ruth Bhengu defied this as well: 'Parliament should establish counselling services here in Parliament, because HIV/Aids is not only out there, it is also here with us.'³⁷¹

Sadly, however, is the fact that outside the confines of Parliament or Hansard, although she was the first (woman) to breach the still too sensitive topic of HIV/AIDS, hardly anyone recalls Bhengu for her brave and powerful speech. Buthelezi, who in the 2004 lost two of his children to AIDS has followed Bhengu's footsteps and as hers are erased and difficult to track, Buthelezi's announcement in Parliament is remembered within and beyond the House. It would seem necessary, to explore further, whether once women parliamentarians who have managed to establish themselves, who have made their (rhetorical) mark, their own ethos and possess knowledge, skills, adaptability, work ethics, dedication, eloquence, know how to set the agenda, why they do not survive, at least not in high positions, especially once they have raised controversial issues, amassed (too much) power and lime light, as in the cases of Thandi Modise and Ruth Bhengu. Giving a 'debate speech' at parliament on Women Gender and Parliament in June 2004, Pam Tshwete felt compelled to single out the role of Thabo Mbeki in furthering women and Baleka Kgotsisile, 'one of only 25 women around the world to preside over a house of 1 809 Parliamentarians' (URL locate at: <http://www.anc.org.za/ancdocs/speeches/2004/sp0622b.html> accessed: 9 October 2004): 'I am raising this Chair because some people undermine women who serve in structures that develop other women. Today we salute the President for recognising women who worked for better lives of other women' (ibid.).

Kohrs Campbell provides insight into a problematic situation early women's rights activists found themselves in: eloquent, they effectively did not have authority. Shaw, when commented on her oratorical ability, 'replied, "But not with authority" (Kohrs Campbell op. cit., 174), and so given that a speaker's ethos should first and foremost derive from speech itself, in the case of women orators, it seems that few single female voices have been able to establish an ethos for themselves, but most of the time derive it from "sister acts".

music and fashion as persuasion

Another means of tapping into the power of emotional arguments to persuade an audience, more powerful and seductive than poetry, is music. On the first page of a dated anti-apartheid booklet, published in 1981 *To Honour Women's Day*, is a 'Women's Day Song':

³⁷¹ ibid.

Fight for an Africa
where women are not slaves,
Fight for an Africa where women
do not waste their lives;
South Africa is in fact
is on its way,
to celebrate its freedom
and to honour women's day (IDAF op. cit. 1).

As the music documentary *Amandla!* highlighted, music was indeed part of most political rallies and especially burial ceremonies, during struggle times. Biko writes that 'the major thing to note about our songs is that they never were songs for individuals. All African songs are group songs. Though many have words, this is not the most important thing about them' (Biko op. cit., 43). Sellnow's work, set in the American context, explores 'music as an authentic popular voice' and its 'means for argument' contends that '... music can function effectively as an authentic voice for women as a marginalized group. Second, music can be an effective means by which to persuade non-members to accept an argument as legitimate [...]' (Sellnow op. cit., 66). While songs are most often used as a rallying cry, which only rarely do '... succeed in their attempt to reach those who are not already sympathetic to the cause' it can serve as a means to alter and broaden the dominant discourse (Sellnow 1999, 67). Especially when adopting a 'musical framework deemed conventional by dominant culture' ... 'music also may be used to persuade nonmembers'. The latter, 'because they did not originally "anticipate persuasion" and, as a result, "are ready recipients of the rhetorical statement without being aware of its complete implications' (Irvine and Kirkpatrick in: Sellnow, op. cit., 69). Blair, writing on rhetorical bodies and memorial sites, states that 'rhetoric of all kinds acts on the whole person – body as well as mind – and often on the person situated in a community of other persons' (Blair in: Selzer & Crowley 1999, 46). She further states that 'rhetoric, regardless of its medium, is introduced into a space that would be different in its absence.' Focusing in particular on memorial sites, she observes that

memorials (and other constructed sites) do perhaps even more obvious work on the body. They direct the vision to particular features, and they direct – sometimes even control – the vector, speed, or possibilities of physical movement. Touching them is different from touching a book [...] and that touch sometimes yields profound responses (ibid.).

Among the women involved in resistance against the apartheid state, none made so effectively use of rhetorical bodies than Winnie Madikizela-Mandela who also is the epitome, the founding-mother of empowerment. Taken, as Salazar writes, from the context of the American civil rights movement, empowerment signifies more than black South Africans' establishing themselves within political, administrative and economic realms, it has an ethical, emotional and moral dimension (Salazar 1998, 65 & 66). Hauser, referring to Burke, notes that 'without the capacity to use symbols, we would be the same as all other animals' (Hauser op. cit., 123). '[...] Winnie's power is non-verbal. She doesn't need to shout *Amandla!* She just has to raise her fist. She lives in iconic images [...]' (Krog op. cit., 19) Instead of

language she knew how to set and claim the stage, used perfectly timed gestures, dressed *Amandla!* (power), by means of fashion, wore khaki combat to symbolise support for the ANC's armed struggle, wore off style and glamour, effectively making the statement that black is beautiful. She became the absolute master of "symbol-using political animals", knew that changing the image of black women would have to be achieved by an act of empowerment. Her style was a display of power to come (Salazar op. cit., 73). Displaying black pride and taking affirmative action, like no other woman, the Mother of the Nation renamed Lady Macbeth, even after falling from grace, commands power and causes a stir wherever she appears, most notably as Krog described, at the TRC.

rhetorical tradition

The most interesting phenomenon uncovered while looking into women's deliberations at Parliament, is the emergence of a rhetorical tradition, enacted by means of song, adopting the relevance of a physical memorial and achieving an effect 'on the whole person' (Blair, op. cit. 46) as well as literally serving as a rallying cry. Sellnow, exploring the implications of music as a rhetorical form, concludes that '[...] music can be an effective mode for legitimising women's experiences and attitudes partly because it incorporates both discursive and non-discursive symbols, conveying both verbal content and emotional content (Sellnow op. cit., 77). Like memorials, which are centrally epideictic, struggle songs are also epideictic and do the work that eulogies do (Blair 1999, 17). In the past, the exclamatory *Malibongwe* was used when senior female members of the ANC, such as Thandi Modise were about to address the audience. At the time of research (2004), female ANC MPs had for some time been calling out *Malibongwe* whenever another MP from their party rose to speak. '*Malibongwe*' is a Church song, a chorus, 'fairly old', as Jama asserts, rooted in oral Xhosa tradition³⁷². '*Igama le Nkosi Malibongwe*' means 'Let the Name of the Lord be praised' and has been changed to *Igama labafazi Malibongwe* meaning 'let the name of the women be praised'. Tone and context are both traditional, containing implied political statements and by means of a religious structure and repetition ('folk songs have this thing about repetition'), it has asserted itself. In line with oral tradition's innovative flexibility to readapt itself in new contexts, women on entering the realm of politics, entered the domain of men, and found a means to express their emotions, passion and commitment upon doing so, by adapting this hymn. The calling out of '*Malibongwe*' by women is supposed to have been started at the march of the women onto Union Building in Pretoria on 9 August 1956, the day South Africa annually commemorates as Women's Day. Sometimes in Parliament in recent years, ANC women have been calling out '*Malibongwe*' when a male

³⁷² Information on the origins of *Malibongwe*, as well as correct spelling and translation of the song are due to Mr. Zukile Jama from UCT's Department of African Languages.

member is to speak and have a good laugh.³⁷³ That women are good at negotiating peace, command a certain political power and that it would not be wise to strike a rock, besides an array of *topoi* relating to women's nurturing qualities, is encapsulated in President Mbeki's 2004 Women's Day Celebration Address in Witbank, Mpumalanga:

Because of the rich legacy inherited from our past heroines, and inspired by the African ethos of Ubuntu, we are proud that South African women are making an important contribution in helping our sisters in the rest of Africa, especially those emerging from conflict situations, to work for the consolidation of peace and stability, and plant the seeds for genuine and sustainable development' (URL located at: <http://anc.org.za/ancdocs/history/mbeki/2004/tm0809.html> accessed: 9 October 2004).

Malibongwe's great persuasive power, is also underlined by the fact that male politicians use this *topoi* – or are they trying to appropriate it – for their discursive ends. Mr Mabena, addressing the Women's Parliament, ended his speech on a high, exclamatory note: '*Wathina abomma, watinta imbokodo! Malibongwe igama lama khosikazi!*' (URL located at: www.anc.org.za/ancdocs/speeches/2004/sp0817b.html accessed: 9 October 2004). Interestingly, at the Joint Sitting, Mrs. Rajbally from the Minority Front (MF) embraced this tradition and was the only MP to do so. She started her address in the following way:

Thank you, Chairperson. Your Excellency, our President of South Africa, Deputy President, hon Ministers, hon Premiers, hon members of both Houses, hon Chairperson of the NCOP, and also recognising amidst us today, the Speaker of the KwaZulu-Natal Municipality, hon Nomsa Dube. *Malibongwe!*³⁷⁴

The (female?) audience's reaction was a chorus, loud and clear, echoing: '*Malibongwe!*'³⁷⁵ It should be added that the chorus from the House is not noted in the Hansard Unrevised Copy.

conclusion

This case study has given a brief insight to women's rhetoric, aiming to showcase what Rita Ndzanga said at the beginning of her speech, held on the occasion of Women's Parliament in Cape Town, on 17 August 2004, namely that 'women in our country have a proud tradition to voice their anger in a form of protest against unjust and discriminating laws' (URL located at: <http://www.anc.org.za/ancdocs/speeches/2004/sp0817c.html> accessed 9 October 2004).

³⁷³ Interview 4: Marina Griebenow, Senior Procedural Officer, 4 June 2004.

³⁷⁴ Hansard op. cit., (Tape: 113, Disk: 371, Take: S.1)

³⁷⁵ It is important to note that this audience response - the only one besides Applause and Interjections, is nowhere noted in the Hansard Unrevised Copy. Not having been in the House that day, it was only by viewing the video recordings of the joint sitting that I can record this significant observation.

Women in the South African Parliament face a number of hurdles, some of them spread out on the way to the lectern. A number of problems are related to their previous socio-economic discrimination but also firmly entrenched patriarchal views on their roles. Nevertheless, women have managed to bring change into the chambers of Parliament, ranging from structural to topical and procedural changes. What is of concern is the fact that in those instances where women have decided to express their own views, they have been reprimanded, or have been side-lined. Ruth Bhengu does not feature in the third Parliament, Thandi Modise has even been denied leadership at a provincial level, Pregs Govender left in protest before being left out. Women clearly need training, some of them as basic as microphone training. Men, however, too need such training as this is not because it is about women, rather because women in politics are not necessarily maiden speakers, but newcomers to Parliament and just like in society in general are under greater scrutiny. Sayers urges that

if you wish to preserve a free democracy, you must base it - not on classes and categories, for this will land you in a totalitarian State, where no one may act or think except as the member of a category. You must base it upon the individual Tom, Dick and Harry, and the individual Jack and Jill – in fact, upon you and me (Corbett op. cit., 327).

Voice and drama training is needed, to improve their argumentative skills and impact as well as their delivery should be provided in addition to this. Greater attention should be paid to teaching the rules and procedures that guide Parliament so that these can be used to their advantage. Especially women in the opposition parties where resources are scarcer than in the ANC need support in this area. As the case of Suzman dramatically demonstrated above, the power of knowing rules and reading legislation is crucial: 'When a Bill is advertised, if women have comment (sic) they must make a verbal submission to Parliament. If they don't have the confidence to so do personally, they must make a written submission. They must react, if they don't then we (MPs) think that everything is fine' (Women in Parliament Directory 2000, 21).

Women have proven in a number of instances having their own approach to deliberation and mastering the power of rhetoric not only for political point scoring but for the advancement of the common good, the very aim of deliberative rhetoric. Parliament will need greater availability of information, knowledge of procedures and finally persuasion to achieve not merely a deliberative government but a deliberative democracy in South Africa.

Conclusion

Several questions on the nature, the role and the outcome of the Joint Sitting held on 15 April 2003 were raised throughout this work, both on the rhetorical situation and on the performance of some of the speakers. A first set of questions probes the nation-building context as a whole – in particular, the role of the TRC in legitimising the negotiated birth of the new South Africa; the nature of Parliament's response to the TRC recommendations; and the way the delayed issue of reparation was addressed. A second set explores how a rhetorical situation stifled by the Joint Sitting was experienced and dealt with by the speakers. Thus, the questions focus on the challenges and constraints the Joint Rules and Regulations (thereafter Joint Rules) imposed on the speakers; on how the absence of debate impacted on the mode of persuasion used by the speakers, specifically how they addressed the TRC's recommendations, as well as the legacy of the process, within the given format and the allocated timeframe.

A stringent rhetorical analysis deconstructed each of the seven speeches, first describing the rhetorical moment and establishing whether they fall under deliberative, forensic and epideictic discourse, second, examining *taxis*, *pisteis*, *topoi* and *lexis*, employed by the speakers, ultimately unpacking the different layers of the Joint Sitting's discourse. While *taxis* and *lexis* – and especially the use of figures of speech – vary, mainly depending on the experience and the oratorical and performing skills of each speaker, *pisteis* and *topoi* befitting the occasion, recur in most speeches.

Without being exhaustive, this thesis proposes some answers to the questions it raised; this conclusive section briefly reviews the outcome of the speech analysis and that of the context in which the speeches were delivered.

The Joint Sitting held on 15 April 2003 was not Parliament's 'finest hour', mainly because of the outstanding issues of reparation and prosecution, 'in cases where amnesty applications were not made or were unsuccessful [...]' (TRC Report op. cit., 119). Moreover the President's pardons had caused more outcry and suggestions about a further amnesty provision that would have turned the TRC process into a travesty; this should have been exigence enough for a debate that never occurred.

Joint Sittings are rather contrived and highly stylised events, regulated by complex (and often ambiguous) Rules, inherited from tradition as Salazar argues:

...in terms of Parliamentary rhetoric, this failure to further organise the deliberative functioning of the Constitution resulted in the 2nd republic's having at its disposal a set of rules, with regard to debate in the chambers, that is, by and large, inherited from tradition. Debate and tabling follow customs of address (not to mention ceremonial

trappings) that are inherited from the apartheid republic and, ultimately, from the British Parliament. In particular, it was left to a committee to establish the Joint Rules and Regulations, which have a direct bearing on this joint sitting (Salazar op. cit., 47).

This 'direct bearing' impacts both on the specific event and on democracy as a whole. Its effects are, at least, threefold: It reduces the modes of persuasion available to the speakers, hinders deliberation and alters the constitutional relationship between Presidency and Parliament.

The nature of the Joint Sitting favoured epideictic rhetoric, of which the praising-and-blaming dichotomy is the centrepiece. Not surprisingly, saluting struggle heroes and heroines (*pathos*) and rallying around values shared by the immediate and extended audiences (*ethos*) are common in the *pisteis*, while nation-building, unity and *ubuntu*, prevail amongst the *topoi*. Two speeches, include *topoi* drawn from military jargon, the legacy of a militant past sublimated into language. Speeches abound in tropes, and with few exceptions, lack of rational arguments (*logos*). A notable exception is DA's Dene Smuts who delivered a speech entirely based on facts 'reasoning on the merit of public policy' (Bessett, op. cit p 46).

A clever use of *topoi* is an effective means of mass persuasion; for example saluting the heroes and heroines has an undeniable mass appeal. It is only when it is unpacked that it revealed as a mere expedient: Mbeki's lumping together four heroes from a very diverse backgrounds, could have been a way of paying lip service to disgruntled members of the opposition; this very opposition could have resorted to "singing the heroes" as a platform to raise the far more pressing issue of effective restitution; van Schalkwyk's tribute to two *bruin* semi-heroes, an (clumsy) attempt to speak the language of his new allies...

Recurrence leads to homonymy, particularly with regard to the *topoi* of reconciliation and reparation, both fundamental to the persuasion of the external audiences. (Salazar op. cit., 58& 59). The way the TRC explicated its mandate in promoting reconciliation, was often misunderstood, modified and viewed in absolute terms. For example the NNP's van Schalkwyk argues that 'it was always too high standard to expect from the Commission to achieve 100% truth or 100% reconciliation.'³⁷⁶ While the ruling party has a point in claiming that 'there is no amount of money that can buy or pay for the human dignity lost' in the contemporary social context, money, is indeed 'a value'. As a minority party puts it: 'the monetary aspect of reparations should be seen as but a part of an overall strategy to restore human dignity and a decent life to all those who suffered under apartheid'. Thus the term 'reparation' means freedom, peace and democracy for the former cadres, and cash for most rank-and-file ex-combatants. It is thanks to the power of homonymy that subjective realities turn into shared meaning.

³⁷⁶ Hansard op. cit., (Tape: 102 Disk: 361 Take: I.1)

Reparation becomes *the* new South African *topos*, to which different people can relate, by filling it with their own different meaning, however appearing to be speaking the same language.

The Joint Rules effectively do away with exigence, and without exigence there is no rhetorical situation. 'An exigence is rhetorical when it is capable of positive modification and when positive modification requires discourse or can be assisted by discourse' (Bitzer op. cit., 7). The Joint Rules that apply to 'any other "special business" (referred to as such in the Constitution but not defined)' (Guide to Procedure op. cit., 105) do not provide for debate, hence no action can ensue. However, the joint sitting held after the first five volumes of the TRC Report were handed over to then President Mandela is defined 'a substantive debate' in this very *Guide* (Guide to Procedure op. cit., 105). Two paragraphs below the Guide recites 'there are no joint "rules of debate". Freedom of speech is not explicitly extended to joint sittings in the Constitution, but is also not conclusively excluded.' (ibid.). This rules trope denial of debate into 'substantive debate'.

On the subject of presidential deliberation, the Guide stipulates that 'a President's Address is a formal occasion on which the President, as Head of State, addresses Parliament (or a House) on an important matter. A President's address *may* be delivered at a joint sitting; the Assembly; or to the Council' [my emphasis] (Guide to Procedures op. cit., 128). Thus it is not a taken-for-granted that the president should speak in Parliament.

Mandela's address to Parliament in 1994, was the initial taken-for-granted that has been imported and remodelled into a rhetorical tradition, further reinforced by other Joint Sittings (a total of 35 during Mandela's presidency³⁷⁷). A joint sitting held on 31 October 2001 regarding the New Partnership for African Development mentioned in the *Guide*, may well have set another precedent, that of dealing with 'special business' on 'matter of national importance' (Guide to Procedure op. cit., 129). The question arises as to what national importance on that day may have signified. Crucial from a rhetorical viewpoint is the fact that the Guide, after listing this exemplary joint sitting, adds that it was 'followed by a debate' (Guide to Procedure op. cit., 129).

These precedents legitimised the absence of debate and boosted the platform for a rhetorical presidency, creating the impression that the President has the right to address Parliament in any 'matter of national importance'. This wording appeared for the first time in the *Guide* published in 2004. In chapter two, under 'Joint Sittings of the Houses of the 'Joint Rules and Regulations – an earlier internal document – a presidential address is supposed to be 'annual' and delivered 'when necessary'. When comparing the two documents 'annual' seems to have been replaced by 'State-of-the-Nation-Address'

and 'when necessary' by 'matter of national importance'. To further complicate matters the Guide to Procedure, in the chapter 'The President and Parliament' recites that s/he 'may attend, and speak in, the Assembly' [my emphasis] (Guide to Procedure op. cit., 31). In fact, being 'elected by the National Assembly from amongst its members [...] s/he 'loses membership in the Assembly' (ibid.).

It is in the ambiguity of the Joint Rules that their expediency lies.

As the analysis of Mbeki's address at the Joint Sitting highlights, in the absence of exigence the President's appearance and address, became ritualistic. His commending the TRC's report to the House was non-consequential, as debate and decision-making processes would only be shifted to the ensuing committee meetings. Although the matter on 15 April 2003 was 'important', it was not to be debated, given that the process of tabling occurred during a joint sitting. Tabling however, should be 'an important link in the process of ensuring accountability and transparency' (Guide to Procedure op. cit., 234).

Significantly the term 'State-of-the-Nation-Address' is firmly rooted in American politics where 'Congress runs itself by committee' (Sloane op. cit., 212). This denotes a change in substance – not just of words – which besides remodelling the Presidency, it effectively redefines Parliament.

One of the innovations of the Mbeki presidency is the weekly *Letter of the President*, posted on the ANC's website. The downside of these "open letters" is that only a few South Africans are currently able to access the Internet. Of concern is the fact that unable to frank talk at this joint sitting, Mbeki commented on the 'debate' in parliament and responded a few days later, taking a much more offensive stance, in his weekly online newsletter, ANC Today in an article entitled *Time to honour our commitment to reconciliation*:

Our task is to unite all our people to respect the national contract they all entered into as they agreed to the establishment of the TRC. With the exception of one political party, all the elected representatives in our national parliament undertook to honour this contract. The time has come for that contract to be translated into action, despite the wishes of the wolves in sheepskin (URL located at: <http://www.anc.org.za/ancdocs/ancoday/2003/at15.htm#preslet> accessed 13.10.2004).

Although public, it is questionable whether Mbeki's shifting argumentation from Parliament to the Internet is conducive to debate.

³⁷⁷ Information obtained by Debbie Billy, Hansard, Parliament of South Africa.

At this year's State of the Nation Address, the Media Briefing included besides information on the time and venue of the briefing, an interpretation of the President's State of the Nation address, suggesting efforts to not only manage but contain debate.

This appears to suggest that a tradition of debate-avoidance on matters of national relevance is taking roots, denying the tenets of democracy. However, this is not an exceptional practice, in fact, not only it is fashioned on the American democracy but it occurs in some form in other mature democracies. For instance, in Italy the practice of substituting the process of parliamentary deliberation, with presidential and ministerial decrees³⁷⁸ is far too common a trope. Confirming Ivie's claim that 'democracy too often is troped as a disease' (Ivie op. cit., 501).

In the case of the young South African democracy, the stifling of deliberation might thwart it in its infancy. In fact 'like any skill, deliberation requires practice, not to mention patience, and so a disaffected electorate is doubly disadvantaged' (Hart & Dillard in: Sloane op. cit., 213). As Hannah Arendt argues, the end of deliberation is the beginning of violence: 'the alternative to deliberation are non-alternatives: violence and force' (ibid.).

In the same way as some speakers asked what next for reconciliation, as a rhetorician, one feels compelled to ask, what next for deliberation? 'Deliberation is to be preferred not because it is best but because there is no other choice when democrats choose to live with other democrats' (Hart & Dillard in: Sloane op. cit., 214). In light of the fact that for too long, too few voices in this country were heard, it is important now for those who have by the ballot been delegated to represent all voices, that these representatives are allowed to lead by example in the art of reaching decisions not merely behind closed doors in committee meetings, nor necessarily in unison, but even in cases of cacophony: it must be done together. Deliberation should not be a stranger in the House as the Constitution 'One law for One nation' stipulates Parliament to be: 'a national forum for public consideration of issues, by passing legislation and scrutinising and overseeing executive action' (The Constitution of the Republic of South Africa op. cit., 17). Of all things strange (the infamous ghost of Parliament, the blood stain on the carpet where Tsafendas stabbed Verwoerd) that may be found in the Parliament of South Africa, or any Parliament for that matter, debate should not be one of them!

³⁷⁸ Technically decrees should lapse after 60/90 days but in Italy they remain in force for years.

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Appendixes to chapter four

Appendix I: Interview 1

Transcript of Interview 1: Dene Smuts, MP, Democratic Alliance, 15 August 2003³⁷⁹.

Q: What was for you the purpose of the joint sitting held in Parliament that day?
What was purpose, not just legal basis, but what was purpose of the joint sitting?

Smuts: It was, it turned out to be the conclusion of the truth process. What is important to know is a few background factors: Under the TRC Act, you know that reparations was one of the aspects of that law, and that formed, ... you will remember, that background stuff. It was only possible to offer amnesty and indemnification to perpetrators because there was the *quid pro quo* of reparations to victims legally that rendered it a constitution. Now the act itself required the following things, it required that the TRC at the end of its work, should make proposals on reparation, that the government should receive those but then make its own proposals, consider them, and either accept them or make its own proposals. That it should then send those proposals to Parliament, which would take the final decision on reparations; quantum, process, everything and the President would then be under the duty to do whatever Parliament decided. Now, the shocking thing about this process has been that although the TRC formally did its job in the sense that it tabled a set of reparations proposals in 1998, when it published the first five volumes of its Report, or its Report, it made its proposals, – but not very satisfactory ones – but that's not the point here. But ever since then, government has not met its side of the bargain. It had a duty under the law then to publish its own proposal and send it to us. They never did that, and there it was a case of justice delayed is justice denied as far as I am concerned – a betrayal of the victims. Because they dragged their feet, they simply never tabled proposals, and they kept on repeatedly saying via spokespersons, via the justice minister, via senior ANC functionaries that quote “people did not fight in the liberation struggle for monetary reward”. So they gave repeatedly the signal that they did not intend to pay. Now that as far as I am concerned that's what constituted the betrayal of victims. So this was the big outstanding issue. This was the big formal and outstanding legal issue. The process did not conclude immediately because there were more amnesty cases than anticipated – although I will say that I did warn them – but we had no idea, we couldn't quantify the number. So you will remember the entire TRC closed down except the amnesty committee because they had to continue sitting to hear the outstanding case load and therefore the end of the process was delayed by these two things. The fact that government never came back and published its reparations proposals, secondly that the amnesty committee had to continue functioning in order to conclude its case load. Now much was made over the last two or three years of saying that the government could not conclude the reparations proposal because there were various outstanding court cases – an argument I reject incidentally – there's nothing in the law that forbade them or stopped them from proposing their reparations proposal and from starting to paying the victims. They kept saying however that the process could not be concluded until the final report was published. Now the final report is the five volumes published in '98 and handed to Mandela, all that were outstanding were the final reports of the amnesty committees that continued to sit on the last few cases. So that is all effectively a codicil its not the final report. But government played an elaborate game under which it said no, no, no, clause 41 or 43 they could not finalise their reparations proposals until the final report. That is a complete misconstruction of that particular section of the law, its just an excuse. All of that is now academic. But therefore we were awaiting the finalisation of the whole truth process with due respect, for the government to finish its reparations proposal and then pay out, secondly the amnesty committee to conclude its work. Now what happened in this year is that the amnesty committee completed that work

³⁷⁹ Questions devised under auspices of Distinguished Professor Salazar and emailed to Smuts prior to interview being held.

and it was called the final report. Volumes six as you know, it was a sort of a wrap-up and volume seven is all the victims. My work incidentally is not over because with reparations, with victims and so on.

So, to all intents and purposes, the debate announced for 15 April was the kind of end of the process, because also the court case between Buthelezi and the TRC had finally reached settlement and so on and so forth. So even those things that had been used as excuses for delay were now concluded. So this was now the final stage of the process if you like so what is important for you to know is: ok, a date was announced for a final debate...

Q: How long in advance are you told about something like that?

Smuts: I certainly knew a month or two ahead, I can't answer you absolutely concretely.

It was interesting to me that what was announced was a full joint sitting, ok. This is related to your question about the ceremonial nature – a full joint sitting was announced and you see now, I am the Opposition's spokesperson on the TRC and I have done all the party work from 1994 onwards on this, so it's a good 10 years of it, including drafting the law, ok. So, I'm one of the people...and we re-drafted that law....In those days Parliament took its job seriously the ANC acted independent. So we re-drafted that law. Now what might be of interest to you is that we were there for entering that debate without knowing, Nathalie, what was coming and I have now in front of me, I won't give you, but I will read you sections from it, a memorandum I wrote for my own caucus. Because these are important issues and therefore one likes to get the support of the entire, of the other MPs in your party, of the entire caucus for the positions that you intend to take, you give them the background and so forth. And therefore what I took to my caucus before the April 15 debate was the following:

I said to them, there's a debate on 15 April, it is a five hour debate – 5 hours, that is a major time allocation – it's a joint sitting, the President himself is participating. Now that is all we had to work with, right, you don't know what is coming.

Q: Just a quick question: was it, I mean, whatever official invitation letter, I don't know how the procedures go, was it stated the word debate?

Smuts: I noted this part of your question, which I found interesting. These are called debates, in our, in our Parliament, unlike for example the British, where people stand up when they wish to speak and the Speaker spots them and allows them to speak or not, it doesn't work like that here. Almost anything is called a debate. There's nothing that we do in the House that isn't a debate.

Q: That is very tricky.

Smuts: Yes, each party is allocated time in the debate according proportionally to its size in the House, right, the parties themselves then decide how to use that time. So this was, no this was certainly a debate, you were right in saying that there was a ceremonial aspect to that, but that derives from the fact that the President spoke who is not of course a member of Parliament. It derives from the fact that the two houses sat together which is unusual, in the event from the fact that they had in the gallery important guests and so on. So it was very clearly casted, or styled as a major, as event of national importance and the conclusion of a process. However, what is perhaps ... so as far as we are concerned we were most certainly entering a debate, which leads me to my next point. One of the reasons I felt I wanted to deal with this in detail with my caucus, the two issues that were unresolved and that we now went into not knowing what position the President was going to take were a) reparations but b) more difficult: would there be a further amnesty announced? This was, this was a big issue. So I'll read you bits of my caucus memorandum. I said a five hour debate is bound to contain much 'sound and fury'. Of nearly all the parties in the house, the DA is alone in not being the subject of amnesty and findings. We were not one of the parties of the conflict of the past, we were a political party but not a ... the ANC, NP, IFP all tried to stop publication of the final report in '98. The DP has to date given the TRC

support. Critical support or be at times strongly critical and should do so again. So my recommendation was we critically support the TRC. There were times in the past that we were really the only people. But when I say critical then I mean really critical, there were times when, Peter Leon and I in fact went to see the TRC, when the five judges, the amnesty judges gave 37 ANC leaders amnesty which clearly was in conflict with the law.

Q: That was about 2 years ago...?

Smuts: Hm, longer than that. And you know we could have instantly kicked up a fuss, and gone to court ourselves – we didn't we went to see them and we said, look, you really, you have to take this on review, take your own...

Q: I think this was in 2000.

Smuts: Right; and other political parties used it opportunistically and so on. But I really mean it when I say, this thing was so fundamentally important and difficult, this process, but so we really did always try to help and although things sometimes went very wrong. So I suggested we should give more/our critical support and let other people speak for themselves on the findings. Although, I said, there is bound to be an attempt to characterise the DA as the representative of old, white, right-wing South Africa. Coz that is part of our quality and they stylise us in that way and I suggested that we should be prepared for that. However, as I said, that the real question is what proposal the sound and fury will support. Or for what will it prepare the ground. A five hour debate – when you hear whips organise stuff like..., the whips amongst themselves agree the nature of the debate, the times and so on, the ANC pulls rank of majority however, but it seemed to me five hours is extraordinary long, therefore I had to ask myself what is going to come in these five hours, surely you don't take five hours out of Parliamentary time unless you are going to create, a, an atmosphere, a *Stimmung*, I think it's called. And it seemed to me very possible, that that atmosphere would be full of exhortations, invocations of the past and that it might lead up to an announcement of yet another amnesty. However I simply didn't know. Because now, for years now, some form of further amnesty has been debated amongst nearly all the other parties. They have discussed proposals ranging from a general blanket amnesty, which would have made a travesty ...

Q: Wo!

Smuts: which would have made a travesty – not any more, no, no that day brought it to an end,

Q: but up to that day?

Smuts: up to that day yes! Absolutely, a general blanket amnesty. And then from time to time one heard of a special deal for KwaZulu-Natal, ok? And so we went into that debate not knowing what was coming and I made out to you all that would be the obvious points that the amnesty grant by the TRC was mandated by the Interim Constitution, which required Parliament to adopt a law providing for mechanisms, criteria and procedures including tribunals if any and the final constitution deemed those interim constitutions provisions relating to amnesty to be part of the new constitution for the purposes of the TRC's Act and its validity, in other words I'm saying there would have been a constitutional problem had you tried to introduce a further amnesty. It perpetuated the interim constitution's post-ambule for the purposes of the TRC's act and its validity. So I said that any new amnesty law would have constitutional implications, and you know, Nathalie, the cut-off date for offences had been twice extended already to cater for parties that's, it was always – that was the PAC and the Freedom Front, the old generals, you know – it was always, those same parties were the ones that continued to lobby government for further amnesty and I had it in a written reply from the Minister of Justice that a general blanket amnesty had been supported in correspondence to the Justice Minister by the ANC, the –, the NNP, the IFP, and the PAC. That's everybody. The DA and Archbishop Tutu have always said,

that's us, I and Tutu have always said that a blanket amnesty would make a mockery of the TRC. Minister Maduna recently denied such a proposal was being considered, but at other times he.., you know, clearly it was under discussion. And of course the old SADF generals have long promoted a further amnesty and in fact when General Viljoen was still here, he's a very dear [unclear] person he used to submit proposals to the generals were working on and we always said, we don't see how this could happen except on exactly the same criteria as before, we you have to ask is there a sufficiently compelling reason to create yet another amnesty? Will such a compelling reason be good enough to meet the constitutional hurdles? And so on.

The further question of course that arises was what about the prosecution of those who didn't apply for indemnification or those who were turned down? And my argument to my caucus was it is surely self-evident that rule of the law now must be restored and the law must take its normal course. People who didn't make use of the opportunity to receive amnesty did so knowing the consequences, well thinking that they could succeed with yet another amnesty law. Right, so we went into the debate, I got the full support of my caucus for any further amnesty. And further, the other issue I dealt with was reparations and described what I considered to be the betrayal of to date, ... I described to them the heart-breaking process that had been going on since '98 during which they expanded the concept of urgent interim reparations to the point where 17 000 victims were processed and they were given a total of 50 million. But I also found, reading the last – volume 6 – that quite tragically, a lot of these people had been referred to provincial health, housing, and other ministries, service ministries for help and all they returned empty-handed, they kept coming back to the President's Fund and were just not helped and the TRC could give no statistics out of, out of these departments. So, which makes it pretty meaningless, you know, whatever services you offer them are relatively meaningless. I argued that we should go back to the definition of harm, the actual loss suffered by victims should be taken into account, and people should start to rethinking the approach they brought together because the TRC's own proposals in 1998 were also unsatisfactory, they arbitrarily, you may remember, they gave arbitrarily an equal amount to all 20 000 victims. And I think that you should look at actual harm suffered. I mean to this day I am in contact with victims who have suffered immense, I mean the medical costs they carry, they have been rendered paraplegic and so on, ... wonderful people and they deserve ...

Q: That was that whole debate you cannot measure pain and loss and then that counter debate well then let's treat them equal.

Smuts: Ja, and of course the ANC's slogan we didn't fight for money, also discounts the fact that the victims come from all sides of the struggles of the past, just like the perpetrators came from all sides, we are not dealing with [unclear]. Right, so that's were dealing with, not knowing what the President was going to say on either amnesty or reparation therefore our speeches were prepared not knowing. In my case, and stop me, and if you want to get back to your exact unfolding of your question, but the purpose of the joint sitting was the closure of the process we went in not knowing. But quite clearly, two big outstanding questions were: reparations and would there be a further amnesty. Was I happy it was not a debate? Well, it was a debate, I think, but you are certainly right in saying it had a ceremonial aspect and in retrospect, I am in the event extremely happy with the nature of the event because the President did the right thing, on amnesty, but we didn't know that was gonna happen, on reparation I don't consider 30 000 per person satisfactory and we dealt with that afterwards. We then formed an ad hoc committee in Parliament but of course the majority simply approved. I don't consider that appropriate but at least, at long last, they did something concrete, you see? At least in that debate they stopped saying no, people didn't fight for money, they gained at least 30 000 per person. So in the end, I was extremely happy with what happened. Let me tell you something: I am absolutely convinced that we were not the only speakers who went in there, ... well in our case we did not know what was coming, I am absolutely convinced that the ANC speakers had been summoned to a five hour debate had expected something else. Because the speeches were, ... now don't forget if you get proportional speaking time, that gives the ANC an enormous amount of speaking time...

Q: In fact last night I put out a list, coz I haven't got all the party affiliations but I suspect those that I don't have are ANC. I think it's eight to ten...

Smuts: Your vast majority of speakers, they have two thirds of our seats and I got the distinct impression Nathalie, that some of them didn't really know what [unclear] speeches, now the speakers included...

Q: Because there were also maiden speeches also from the ANC...

Smuts: Yes! And you would not normally do that, in a debate like this. You're absolutely right: And you had people like Sam Sihlowa. Doesn't he speak?

Q: Ja, I was going to ask about that.

Smuts: You had Premiers lined up. I can't help feeling, I can't prove it, but I can't help feeling, that at some stage that debate was going to be an old anti-apartheid, anti-racism, all the stuff the ANC does when it's kind of justifying it's not doing the right thing. I can't help feeling they mustered their forces lined up all these provinces, the struggle men, to come and have a real go at the past as they have been doing at the racism conferences and so on. Because the debate had curiously flat speeches, had curiously flat quality to them and five hours was too much. I don't feel that people particularly knew what to do with their speaking time. So that is interesting in itself and you know, I tried, I obviously tried to find out beforehand what was coming. Coz, one does!

Q: That was the other question: You had no idea what was coming?

Smuts: Not until I walked to the house. No, literally. I tried to find out beforehand, from such contacts as I, ... and I got the contrary impression that yes certainly a further amnesty was going to get out from people who I think in retrospect were – if you pardon my French, bullshitting, pretending, ok in one case I think they were pretending to know because it would have been embarrassing for them not to know. They are some people from the new allies of the ANC. Other people, more independent, journalists, people who were closer had that much information and were also trying to put it together. I thought there was something coming, I thought there was an amnesty proposal coming and I was running through my mind, permutations based on stuff that had been discussed and written and said in the past to think what it was they might propose because I want then wanted my argument – when you go into the debate you must be ready to argue based on whatever has been – and as we walked out of the house and our debate was on at 2 o'clock; I walked out towards, ... now Tony Leon decided that he wanted to, to ... lead the debate, which is right, since the President is speaking, so as I walked out of my door, I connected with him coming out of his office and he had then already received the press because the government had developed a new habit they do a press conference before they go into a debate, which is really wrong things should be done.

Q: It was around 12 o'clock or 1 o'clock...

Smuts: ...it's really wrong. Yes, that would be about right. Yes, in fact, it was, a press conference, it was a press conference, it might even have been 12h30 because I, in fact I was sitting here, still finalising my speech and phoning, our chief of staff but he literally had his phone off the hook because he was reading it. Because there was something in writing, in other words. There was something in writing.

Q: Yes, I got a good contact at Public Relations and got it from him.

Smuts: Good for you. In fact I think that it was the President's speech which was handed out.

Q: Yes, because mine said embargoed until 13h. And then the Press Conference ahead.

Smuts: But David literally had his phone off the hook but I could hear him reading it out loud so, ...because Tony's office, his media people had just got the announcement, so as we walked to the debate, I said so now what is it, what's coming? And Tony tells me a) the further amnesty: no further amnesty. Some other proposal he said, I read it, as I walked to the chamber so, ja they had concentrated on that aspect. So, so, neither his speech nor mine was written knowing what was coming. But that's from the nature of our position one doesn't particularly expect to hear [unclear].

Now, I guess that leaves us, you were asking I was one of three speakers.

Q: Can I just throw in something from before?

Smuts: Of course!

Q: When you sort of laying out, the whole, the steps that should have been followed. That outstanding step of government to respond. At the end of the day, the decision whether there was going to be further amnesty in what form or not and reparations: who does actually make that decision? Is there a vote? Or does the President make it? That is the one thing, ...because it wasn't a debate. There was no deliberation pro or contra, nothing, and there wasn't even a vote at the end of it. I mean it's not that everybody – for me it was string of speeches that's what it was, if at least there was a vote then one could have said ...

Smuts: It's post facto.

Q: So also on top of that you say that most parties, that's pretty much everybody except the DA and Tutu but he's not even in Parliament was ..

Smuts: That everybody was against the TRC. Now this has everything to do with the nature of this Parliament under the Mbeki administration. The ANC regrettably - in theory Parliament could have overthrown government's proposal in reparations and done a different one. In practice under the Mbeki administration the ANC MP's do what the executive or the party leadership wants. It is no longer the way it was between 94 and 99 when ANC MPs or the stronger one or in some committees, considered themselves MPs with enormous power and were legislated under the constitution and if something needed changing from draft bill from a minister it would be changed. In this new Parliament, and that's regrettably, that's no longer the case. Do not forget that your real debates occur in the committees where we legislate or whatever so the fights are fought there, if you like the debates are debated there then decisions on legislation or on other things are taken there, the big debates in the big house are, ... are always post facto in that sense. They are a kind of a report back if you like, on the decisions, on the debate and the decisions in the committee. Now in this case there was no such structure it was the government of the day tabling its proposals on reparations. A real debate, I agree with you, would have consisted of the MPs, especially since we had the representatives of the provinces, saying 'ok, we've actually been trying to run this expanded urgent reparations programme since 98, there are/were problems, blablabla .. believe me, Nathalie, I don't think there was a soul in the house who had even read volume six! Apart from me, no honestly, and I say that because I then sat through the reparations ad hoc committee after it, they had not read it, they did not know what was in that law, never mind the report. Now that's how seriously the ANC took this. They were not going to, .. it was a rubber stamping exercise, they were not going to be bothered to read anything, let alone apply their own minds and they were not the people who had been involved in the process. Some of those, including Johnny de Lange were listed for the ad hoc committee but didn't attend it was left to people who had had no involvement, in other words, they were simply going to rubber stamp the R30 000 so in that sense you are absolutely correct, it was not a proper debate, people didn't apply their minds neither during the debate and neither did they later in the ad hoc reparations committee.

Now the amnesty issue is somewhat different if the President had proposed a further mechanism, that would then have had to be put into a bill which would then have gone to the justice committee and there presumably, there would have had to be a debate on the constitutionality, if nothing else, if not the desirability the justice of it [unclear] but in the event of course, he did not announce, ... neither was it required under the law it's simply that there had been loose informal talks and reports over the last few years that there might be further amnesty, nothing's in the law that says, in fact the law doesn't, in fact the law doesn't neither the constitution nor the law in my view, would have allowed such a things but we do know that there was talk, discussion I had confirmation from Parliamentary requests and replied by the minister of justice who was in favour of a further amnesty

Had the President decided about such a proposal, he would then have announced it from the podium, or not, they would have pulled the bill through cabinet, which would have come to Parliament, it would have been dealt with by justice in the event he didn't do that, that makes me extremely happy. What he proposed instead was simply to say, to perpetrators who had not applied-come forward, be a state's witness, let's do some plea bargaining, and see in that way we settle your case and see some more .. gross human rights violations. That's as far as he went. I was immensely pleasantly surprised. But you see, so therefore I went in with a certain speech which I then had to change, well that is how it's often does work, you obviously give a response to a speech that has been given. So, in my case, not knowing what was coming, I went in with quite a long speech, longer than the pathetic six minutes that I had. Because let me, now a party is allocated time proportionally to its size Tony decided he would speak, he decided he would take – I forget how many minutes, ten or something like that – ten, I was allocated

[END of A side]

B Side:

Smuts: ... Timothy Seremane was one of the people killed by the ANC in one of their camps in Angola, Quattro.

Tortured and killed. Ja, so that Joe has a deep personal involvement in the issue and in the TRC and ...Ja.

It is also I think of the heart. He is one of the persons I touched base with before. So he had been my choice of my co-speaker when Tony came in, that became three of us and we divided up our time. So I went in knowing I had only six minutes, not knowing what was coming. In circumstances like those you prepare a little bit more than six minutes' worth, eight or nine minutes' worth. And actually the kind of stuff I had for climbing because I didn't know - because I thought there might be further amnesty I thought that we were going, very likely going of having five hours of sound and fury and vituperation against the old apartheid era, how much people had suffered in order to justify a further amnesty. Because after all we have in the past few months had the case of the President giving presidential pardons to all those Eastern Cape ex-cadres, eh ... on the prompting of, of ... Stofile, the Premier of the Eastern Cape who said that since 94 he had been lobbying for the release of freedom fighters. In the face of the constitution, in the face of the law, that there were freedom fighters and they must as far as he is concerned be relieved. The President promptly pardoned all these people who went out and murdered all over again. So against that background it was one of the possibilities that we would have five hours of sound and fury of all the injustices of apartheid and a further amnesty announced, possibly even a general blanket amnesty. Therefore I dealt in the parts of the speech which in the end I didn't use, with such stuff as that something I hadn't known until I read this report - that the PAC for example, actually went out and recruited criminals to be their cadres. They actually did, because criminals were extremely useful for liberating other people's cash and vehicles, which was part of the PAC's plan. So I had stuff like this in the lines of further pieces of my speech I ... paid attention

to the excellent work of the amnesty committee. My word they were good, remember they were an independent component. Their work is such a pleasure to read and they are responsible for most of volume six. They recount how they deliberated over the inequality in the legal assistance given to perpetrators for example. And then they go quite carefully through the factors which lead them, to conclude that in fact it was in order. They as the amnesty committee gave particular lee-way in cases where for example the applications were defective, when they could see that people hadn't had expert assistance or they had been simply dropped by their parties, the PAC in particular just didn't assist its own cadres. It was simply shocking. I remember Archbishop Tutu threw up his arms in despair at one point and said now I have done everything I can I can do no more for the PAC applicants who will not even furnish their proper names, they applied under their nom de guerre. And he said now I can't take this any further their applications are now rejected and their political party is not helping them. So because of those factors the amnesty committee bent over backward to help applicants and they felt that they had sufficiently compensated for such, for disparity that might have existed in legal representation for them to feel that the process had have been fair. So I dealt with factors like those, anticipating arguments to the contrary, whatever. Those bits of speech I simply never used in the end, you had to then respond to what comes, ... the sure enough, because the subject of, ... the moral, the unacceptable moral equivalence of treating perpetrators from the old apartheid formations and cadres the same sure enough that came from the PAC, Dr Pheko so I, ... I used his speech which preceded mine by one or two speakers. So I used his speech to ... as my ...

Q: Ja, a few ...

Smuts: Here you are, ...to, ... to deal with my subject and in a sense one then became freer to deal with the merits of the whole thing ... because the President had done the right things. I can't tell you how profoundly relieved I am that a) no further amnesty was announced and b) at least some (can't understand: concrete) reparations had been [unclear] so we dealt with the question why I am one of the three DA speakers, I am in fact the person who does all the work for the TRC for my party. Tony came in because he wanted to and... Was I happy with my speech? Why not? Why yes? No, because what I would have liked to have done was this. Ok? (article) After these ten [unclear] years I would have liked to have it dealt with more exhaustively. I was and I remain particularly mad with the TRC for the non-sense they have done, ... I think they potentially have really damaged this country with this preposterous support for, for, for reparations suits in the US based on the idea of apartheid as a crime against humanity which falls right outside their frame of reference. I personally suspect it's one or two certain commissioners who still racking around and remained on as the amnesty committee was doing its work. I think they are pursuing their own interests and agendas and it falls right outside .. but that is the new issue that has been thrown up now and it, you know, seen only for the first time in volume six which of course they were published just shortly before the debate.

Q Ja, it was in March sometime...

Smuts: Ja. So I would have, I would have, .. apart from the fact that the two issues I thought we would be dealing with were amnesty and reparations there is that, the bigger issue of the closing off the TRC, how has the TRC performed and so, so really, what one would have liked to have done is this, this whole thing.

In the six minutes I therefore could not deal, I went into the debate and decided I couldn't deal with, I decided I would,I would look at the amnesty issue. I ... We had a fourth speaker you don't even know about, and that is Sandra Botha and I asked her to deal with reparation because the two of us sat together. The NCOP also had its own separate speaking time in our case that time was allocated to Sandra Botha, she had – I think four minutes – I asked her to deal, I would do the amnesty issue, she would deal with reparations and I furnished her with background information once more, not knowing what was coming, ok. So, there was in fact a fourth speaker, and it is relevant only in as much as you, .. and I decided I would do amnesty and she would do reparations. She, she, she ... has not been here so

long and so she had to think on her feet also and answer the President and she answered a little more favourably than is in fact our position, our mandate of my position, ok so she was a little more favourably but in fact I took our formal position on reparations in the ad hoc committee.

Q: So - sorry, did she speak on that day?

Smuts: Yes.

Q: So she is that Botha, C.-S.

Smuts: Yes, that's her.

Q: She is one of the people I have to look up on the net, what party affiliation ...

Smuts: Yes, she had to speak on her feet, she responded more favourably to the proposal of 30 000 than is actually our position.

And as for, as for Tony, since you are interested to know, how this stuff work, he commissioned someone to write his speech, this person liased with me, but it is a speech, you know it is a different kind of speech. You, you will have noticed, and that is partially what your last question was about, .. that, that he took care, to express our, our, our deep empathy with much of the process and our approval of much of what the TRC did and he made the point that we must never forget and so forth. So those are important things for the DA to say and as I said we are a party that has always, even if critically, supportive of the TRC every other party was taking them to court. You remember the ANC trying to quash their report, FF had/gave problems, IFP had/gave immense problems and so forth. So Tony did a kind of a political positioning speech. And Sandra was supposed to deal with the reparations. Oh yes, I was still on question four, was I happy with my speech. Well, it's frustrating to have only six minutes that's all I can say, ja. I left the podium thinking that I would like to have had much more time butif, if the question if I got points across, yes apparently because I immediately got that response from my colleagues, ehm ... but you know, it's ... in a big mosaic like a five hour debate, that's just one platform that's why I followed up by writing things that I felt really strong needed to be said.

Q: I have two questions which I'm just going to throw in. I mean most of what I was going to ask, what is important has been kind of covered.

Just as a wild, I guess, hypothesis, whatever - what would you say led Mbeki to do that?

Smuts: You know, I guess history will tell us. And I hope someone is working for historical purposes on, ... you know I wonder if anyone is? The whole of the transition has been so pressurised and such a rush somebody somewhere I hope is keeping the records. I simply do not know. It may be that they looked at the constitutional position, calculated that this was most certainly going to meet constitutional hurdles that they possibly couldn't win any challenges that all, that one, that one must take assume that that would have been factored into...

Q: Do you think that there was any link between Maduna and Mbeki?

Smuts: I've often wondered because Maduna started backing off the idea of a blanket, of a general amnesty a little bit before. He started saying to some papers, like *Mail & Guardian*, he started denying that such a thing had been ...

Q: And he was the first speaker and Maduna the last...

Smuts: On the other hand, if you, ja I know you do that, you sometimes put in a strong speaker, very ?? with the subject at the end to mop up, to mop up whatever difficult speeches...

Q: I haven't dealt with in depth, because I'm not dealing with all speeches, I've chosen I think I will be looking at like six or seven. I've analysed Mbeki's and yours is part of it obviously, and Maduna we decided to take... I haven't worked much on it, but my Prof ... looks quite ok, that he - you're right on that he must have prepared one but he abandoned it.

Smuts: Ja, ja

Q: In fact maybe all of it. I couldn't, I haven't watched all of the debate but I have got it on tape, but he spoke very freely.

Smuts: Well, that makes sense, from, from a rhetoric point of view, if you like, you put in at the end a speaker, of some weight, and who's responding then on behalf of your party, in this case, I guess also on behalf of your government. And who can do so authoritatively and who is to dispose to deal with any of the difficult political stuff, ok. So that's exactly why he was there. They are supposed to demolish whatever difficult speakers and arguments came up. I don't even remember what he did in that speech. Can you remind me?

Q: That's the thing, I have not dealt much with it. I can provide you with it. I don't even have it here.

Smuts: Don't worry. In some debates it may have been a slap at the ACDP at the Christians it they have said something difficult about, you know they pick their ...

Q: I think he was very much in line with what were the constitutional givings, basically that is what is to happen

Smuts: Ja. It may even be, ... you know, who knows, that Penuell who is sometimes of the right things, he may even have been opposed to an amnesty and he is the justice minister, he can see better than many others like these our beloved and rile generals, like the PAC certainly. He can see better than they that what is the legal situation and what is right and what is wrong. So it is arguably possible that he in fact might have been the one, said look, we can't do this thing. But we'll, ... we'll have to wait for history, or people's biographies to find out what made him do the right thing. I, ... I'm so, ... so happy, I can't tell you how happy ...because it felt a little bit, ... in fact there was one draft I did in which I said, I think it was a first draft of that article but you have no idea what a battle it is to get things published by us, in Cape Town, for the DA, for the opposition.

I think for the first one, because I wrote a piece immediately after the debate, got no response. Then I gave it a new intro which made it topical in a sense, kept hearing on the talk shows and people couldn't understand why everybody wasn't getting 30 000 why these ones, lalala so, but my initial one when I wrote that article was to say that this debate should have been such a proud moment for the TRC ... and instead it was a very good day for government, government did all the right things, for the TRC has I felt had plotted its copy book up very badly with this apartheid reparations suits, very badly, because it's a load of, you know what, I don't know if you've ever read that little chapter of theirs I kid you not and to lend the entire persona and name of the TRC to, to such a proposal and to such spin stuff is completely. They all signed these terms, I bet you they did not read it, I'll bet you that they didn't read the volume six, ja, I bet you coz they're all off pursuing other careers and I think, ... I don't know but I would think that Yasmin Sooka is the person who was involved in these, ... because she has often expressed herself over the years, ... I would think so and that and the rest of them ... I don't know if they ever read, and it's just not, I'm so angry with them because they did so much good work and anybody who went through the TRC process, it ... it was emotionally unbelievably mauling, not just exhausting, you know that amnesty applications, just the little I sat through, where I had some constituency linkage with victims, for example, it is the most emotionally devastating thing and they had, ... they went through years of it and they did very good work. Not all of it, but they did very good work, for them to now and spoil everything by over-reaching themselves; I really think that's unforgivable. So, so it should have been an excellent, ... that debate should have been the crowning day

for all their hard work, and the years of their lives that went in ... and instead they blotted their coffee? [unclear] and instead it was a very fine day for government except that reparations were in my view not adequate but it made me a little bit nostalgic for the old ANC that did the right things because there was a time when everybody was striving to do the right things. And that took us through such a good transition and we wrote a good constitution. So it was a strange day, made me nostalgic for the good days [laughs], so when the weight was over, all that I felt was that the debate was going to be, so something changed and quite shortly before the debate, I think. I think so.

Q: The good old days, when would you situate them?

Smuts: From, Tony and I came to Parliament together, we, – our very first opening of Parliament was de Klerk's speech in 1990. We both came in, we ran in the 1989 election in September of that year. Then in those days Parliament didn't sit all year long, so then .. our first opening of Parliament was 2nd February the next year and we sat in the very back benches and de Klerk made this speech. So we were in on the transition from the beginning, and in my case I was involved in both constitutions and, and ... so those were the good days, not easy, I mean unbelievably demanding on us, our lives disappeared, those of us who did the constitutions as well as Parliament. But those were excellent years in as much as – it was a, where we, – look, we really engaged with each other the ANC had really good people, its negotiators, its ministers, its front benchers, very skilled people. So it was quite enjoyable, it was quite challenging and enjoyable locking horns with them on the constitutions for example. And, so, it was as challenging and tiring as anybody's ever going to go through but it was worthwhile, we were, ... you did have the sense of holding something worthwhile but not withstanding because those fights were politicised also but notwithstanding those, they were real debates, notwithstanding with those, those clashes we were constructing something well worth here and .. and everybody was serious about the new order, that was what was nice. Like when we sat down to do the TRC bill which we worked on for a long long long long time in the justice committee everybody was absolutely serious about giving effect to the constitution which we just had concluded, you see. So if something in our view was not, ... didn't adhere to one of the rights - by definition people in the justice committee were also Bill of Rights people – if something didn't conform to the rights, then we changed it. And ... for example in the cabinet draft the amnesty application hearings were going to be behind closed doors – we threw that out to the and to the great unhappiness of both the National Party and the ANC leaderships and caucuses. So in those days if an MP saw/thought that something was wrong they changed it.

Q: And you said the ANC had good, very skilled people. Have they lost their skill or have they ...

Smuts: No those people, very many have left and gone to the private sector there are just far fewer of them now. Lots and lots have gone and ... yes, not so many remained so, it's a different kind of MP now. And under, ... and Mbeki runs a different kind of party. And although as MPs they should be separate from their party personas as they are, it is not ...the case, they are, ... it is very depressing sometimes.

Q: You think the President, did he speak as the ANC or the President...

Smuts: Well, formally certainly he spoke as President of the country no, and I think in fact that day he did in fact many of the right things. And there was nothing, was there of that, of what I thought we were going to hear. Because the other Mbeki, the other speeches on the racism really worry me, there's something really worrying, I was also the spokesperson on the whole racism and non-sense ball [unclear] for [...] and those speeches about, you know whites think blacks are satanic, savage and crooked, thieves, there's something very fundamentally worrying in them. So there's that Mbeki who, who, you know, his, ... his take on history, I mean he's invented in his minds battles that didn't occur, that didn't occur like that, so there's that Mbeki but this was a rational, this was very much the lead executive speech. I was very, very relieved by that...

Q: Well, I suppose we could go on but I also ...

Smuts: Well if you are with what you've go.

Q: I am, ehm ...

Smuts: Whose decision ... you asked another thing: whether this was this part of the 2004 campaign?
No,

Q: Ok

Smuts: Oh, that thought had never crossed my mind.

Q: Because the DA is actually usually early, and sort of spot on with things...I found already a pamphlet in my mailbox the other day which I .. which I added to my pamphlet collection and thought they start early.

Smuts: [laughs] Is it? Excellent!

Q: Are you, is that already ...

Smuts: No. Not once did that cross my mind, which I suppose it, it should have but .. I also don't think that we have put this into ... it's like, no. It will come up, certainly. I think the very fact that the debate did the right things, the fact that the President did the right things, I think that really was a closing off, although my heart is broken about this 30 000 ... I am still in correspondence with Frank Chikane, I'm trying to sort things ... ja there are, oh ...but that's – now, it becomes nuts and bolts, I'm terrified, people erroneously declared dead and that sort of thing. But no, I, I kind of, ... I can't see, the ANC having done largely the right things, ...I have always said that the race thing will be used again when we come to election time. Because they do it just like the *Nats* do it, PW [in Afrikaans] any opponent is described as a *Boerehater* in their case a racist, in their definition a racist is only a white, because it works, you see, you get to people's identity, that I would be very surprised if we have, you know ... because it covers all the deficiencies in delivery and service, administrative deficiency, I'd be very surprised if we don't have a build-up with the race issue again.

Q: If it was not the race issue...

Smuts: But not the TRC

Q: What is at this stage a nuts and bolt issue? What can you see as being some of the...

Smuts: Aids is some of them they would not want. But surely it is the election coming that has made them now say that they will roll out the antiretrovirals now, will they? I don't know, can they? So, but that's interesting, look I don't see the TRC becoming part of it, because they did the right things, on the other hand, only in this respect, whenever the ANC is in trouble with the tripartite alliance, you know they say in so many words, apartheid was the glue that held us together, we have no other ideological or other factor holding us together. Mandela has said it, Khalela Mothlante (sic) has said it so there's a now, we need, we need apartheid [laughs] to keep us together and that's why I always say that's why they invented the racism issue, you see you don't have the apartheid you must now say that white people are [...] so and now in as much as, as ... the anti-apartheid struggle was necessary is necessary to keep them together for the election, maybe they'll tip in to some TRC score, I don't know. I don't think it's going to be pre-eminently anything to with the TRC so which leaves the racism issue, now the public looks good and bored with that – I'm so thrilled! Because you will remember at the opening of Parliament this year, the press picked up on Thabo's speech and Tony's speech on racism as an issue, and the public looks good and bored to me, which thrills me, because it wasn't like that in 2000/2001. It was one of the most difficult things I have ever run, people were just not listening to things, they

didn't believe it was a .. as calculated a national party line, it's a racial oligarchy using, abusing race in order to keep itself in power.

Q: So would you say that South Africa is normalising itself?

Smuts: Ah! Yes, in many senses. God bless them if they yawn and get bored with them. However, never underestimate the power of racial mobilisation because there's always a little grain of, it's because there's a little grain of, it's true that the English-speakers used to ... look down on Afrikaners a little bit some of them, then you just balloon that in, there's truth in, in ethnic groups do have feelings about each other. And I always think that Mbeki, I think it's unforgivable that he's raised race as a political issue. Our political transition isn't old enough to stand that yet. And we had a really good thing going, in the Mandela years, we were all pulling together and South Africans actually like, you know, we're genuine, we like each other and so I think unforgivable that he soured, he poisoned, he stirred the racial pot. Now, I hope I'm right that people are going to be too bored with it. But that doesn't mean they aren't going to try again and that doesn't mean that he isn't still poisonous. Never underestimate the poisonous power of race politics. So I'd be surprised if, but still, I hope people stay bored but it's not going to be TRC, AIDS, they've now drawn the sting, but then they must produce.

Q: Ja, I think the pressure is immense.

Smuts: Ja, so what remains, race, I think it'll be race, but I think thank God I don't think it's going to be race. And it's time for South Africa to put all this behind it as long as, provided we don't forget ??? all those poor people

Q: When about are the elections going to be?

Smuts: April. It sounds like it could something like April 15th. Because, ... I think, I think Thabo wants a big party on April 27th which is Freedom Day.

Q: Alright, ja ten years. Is Freedom Park going to be ready then?

Smuts: Oh, there's a thought! Oh, there's a thought.

Q: I'm [unclear] sceptical

Smuts: Yes, yes, yes, you actually take the words out of my mouth because I actually said that to my colleagues you must bear that in mind they are doing all these cleansing and healing ceremonies in the provinces at the moment and the ANC is good at symbolism. And in fact I said that, Freedom Park is December, I think, there's some big thing in December, there are [unclear] to be held. And who knows, the old anti-apartheid struggle might just all be dredged up there, ja, ja, ja. Maybe so, maybe I'm wrong, maybe aspects of it will be used. Then again the movies, we are about to be hit by the movies, The Country of My Skull, the Amy Biehl, ...

Q: Oh, is that also to be made into a movie?

Smuts: Hm, and I have extremely mixed feelings, about Amy Biehl especially.

Q: Who will be starring in Amy Biehl?

Smuts: I don't know. I have forgotten.

Q: Probably not South African.

Smuts: No, famous names.

Q: But non-South African...

Smuts: Ja, that only adds to it, man. Big Californian movies. And I don't know what, I think people are going to be doing all sorts of [unclear] doing all sorts of things with them. She must be very careful with a process like this. This was a negotiated transition, nobody won any war. Which is a point so desperately needed to be made.

Q: Ja, ja, I know coming from the background of German history that was clear, there was vanquor and vanquished, you could literally impose a direction whereby here this was not at all the case here.

Smuts: So, maybe, who knows I'm wrong, there's Freedom Park, there's the movies coming out, maybe the past will in fact be employed, we'll have to see...

[...]

END of tape.

University of Cape Town

Appendix II : Transcript of Interview 2: Celia-Sandra Botha, MP DA, 26th May 2004

Q: What is your political background?

Botha: I come from the Free State and came to Parliament in 1999. Before that, the province that I was in, was ruled by National Party until 1999, so I was always in opposition, never in any effective position. 1999 was the first time that we gained any representation with the DP at the time in parliament, but before then from the early 1990s, I was always involved in politics, [...] from the early 1990s in was involved in the Women's National Coalition and I worked extensively with them on women's right. And then after that I worked for the, I was the Deputy-Director of the Independent Electoral Commission before coming to parliament, but my actual job was being on the farm, I live on a farm, where I am a housewife and farm administrator and mother to five children.

Q: Do you perceive your work as a double burden? Being a mother & housewife and being a woman in politics:

Botha: I don't think it is actually possible to do justice to either when you have both. So, I entered actual politics when my children were a certain, the last one had virtually finished his school. I don't think that I would have taken a job of this nature with small children I've said that before it's not a popular thing to say but I don't think, I think, you know, I wanted, my choice would be to, to be with growing up children rather than a career.

Q: Being a woman in politics what is that about? In particular in South Africa?

Botha: It's fairly easy, it's quite popular to be a woman in politics in South Africa, you know, it's the flavour of the month, I don't find any burden in reaching positions, I don't find any barriers and I think if you look at what has been done in public life by the state they have set the example of what's been followed everywhere. But there, the society at large, although they accept that, I think once you're out of your professional life and in ordinary social life you do still find, I think still quite a lot of entrenched male prejudices.

Q: And in particular within the National Assembly, with regards to talking...

Botha: I, well, I have just been in the National Council of Provinces before, so I have just gone to NA but eh, I could speak rather of the National Coaliton [sic] I found no problem whatsoever.

Q: There is one thing I have come across frequently: issue around maiden speech, female parliamentarians longer on the waiting list? Is that because NA is really big?

Botha: Ja, I really don't think it has anything to do with gender, as a matter of fact I think [...] take quite a lot of care to balance, always when they have a speaker's list to make sure, you know there is gender representivity. I haven't made a study of the NA but it is not a problem I have heard in our party speak about. As a matter of fact, now in the NA we have two women, who have been, two women we are not in the majority anymore in the caucus, and two of our speakers are women who for the first time have come to parliament and they are speaking in a major debate, State of the Nation Debate. So that's [...]

Q: When it comes to speeches- do you write everything yourself?

Botha: I write absolutely everything myself.

Q: What kind of training have you received in that?

Botha: Nothing.

Q: So you have gone step by step. Have you had a lot of sort of interaction from the other party members, or guidance? Are there like internal structures where MPs..

Botha: In terms of studying, no. I will look at speeches and speeches of other members but I do my own work entirely. We have very little research support so it's dependent on the member. I think for, now again, I have not been the spokesperson because in the NCOP you are not a primary spokesperson, you speak on subjects because the spokesperson in the NA is the one who...

I did my own research. I am quite attuned to it now, the general support is poor.

Q: Do you follow a set formula?

Botha: I try and think of what i am saying not to be original but to be of some value.

Q: What do you use mainly when you do research. Any specific field you are an expert?

Botha: Certain issues, I could speak on women's issues with a certain expertise, not because, you know I was member of the Joint Sitting on the Gender Monitoring Committee, but there, I spoke on many [...] African Union, on local govt, on ... public service.

for the past year been concentrating on ambassador Mashabane. I am an expert on Ambassador Mashabane.

But I think that if you are a spokesperson you are expected to become an expert.

Q: Would you say that women have a different approach to deliberation in public?

Botha: Ja, I do think you do see a difference, you see, and I think sometimes women take the softer issues, if we can call them that, they, I listened to a woman speaking in parliament yesterday who made her maiden speech from the ANC, and her approach was very fuzzy, but perhaps that's not because she was a woman she spoke a lot about women, about specific women's issues, I imagine a great many of the men can speak as fuzzily. to be quite honest, the minister, the previous premier of the NC when he made his maiden speech in Parliament, or a speech and it had, no, no real content, so perhaps I am unfair, perhaps it depends on personality not gender.

Q: With regard to expertise, do women fall short?

Botha: Anybody who does not have a legal background has got a *agstand*³⁸⁰.

People who have experience of the situation on the ground can make very worthwhile contributions to the legislation when they got practical experience of a particular issue, not the legality of it..... accessing a pension....

Q: Parliament is known to be a boys' club, since women have joined in significant numbers it has changed, that is creche, times for debates and committee work have been modified.

Botha: I think they were closing the creche.

Q: Many debates and meetings are scheduled after hours...

Botha: it's an old complaint, one socialises after hours, don't work.

³⁸⁰ English translation: disadvantage

Q: How do women talk? Are they clearer, use more irony, or facts, a specific language etc. Is there a Male/female way of talking?

Botha: No, no, I've gone in my mind through various speakers, some speakers know their subject matter better, it's style, I tell you where men have an advantage it's in the timber of their voice. It carries weight. And it sounds convincing. I really think that makes a difference. A high-pitched voice, and women fall in that higher register, and does not carry that kind of conviction which a lower voice does and if you think of charismatic speakers, ehm, this terrible character Eugene Terreblanche, who is now in jail, you remember Eugene, and he had this magnificent timber to his voice which was kind of carried you along. A person who has a wonderful speaking voice, is Naledi Pandor. And I think that is an advantage, but that is not tied to her sex it's more likely to be with men because they have deeper voices.

Q: What about humour and wit?

Botha: I think it is underused.

Q: What about Helen Suzman.

Botha: People make their mark with wit or rather they make their mark with fact. Cassie Aucamp-he is very very funny.

Q: With regards to authority. Can you think of any women?

Botha: We have an outstanding spokesperson on finance: Reanette Taaljaard. Often surprised in committee, at how good people are. I think the ANC does quite a bit of training. Smaller parties have a disadvantage as they are under resourced. Little education you find in our parliament. People are not informed enough.

Q: Women drive particular issues. Women's issues. What is your opinion on that?

Botha: The 50/50 target ridiculous. 30% is critical mass, life not about a demographic game. Individuals have to prove themselves as individuals, so I have a problem with GAP and their approach you know.. The women who have gone in, a lot of it is reward for hard work, not necessarily for having excelled at anything, they also have been moved side-ways not up, ...

Language can, can be a problem. I think the problem comes when politicians speak to the public. In the media, if they communicate in their own language they are much more likely to be understood. When we strive for equality, I've always had a problem with the ... that it has to be at the cost of, of trying to get rid of difference.

Q: What is politics in the female?

Botha: I think you sit with remnants of society that might not take you as seriously, in the political arena not that much. Women politicians are more at danger, at risk, walking at night. It is an issue of the individual per se rather than the gender of the politician.

Q: Is there a lot of interaction between SA parliament & others?

Botha: Lots. I went for a visit to the Congo, with women involved in CODESA and women there involved in multi-party talks, their different angles that you can go toward finding settlements. And that was a women's initiative. But men work parallel.

Q: You did that Congo trip to mediate. Do women have particular mediating skills. ?

Botha: Women are good at it. Women are good at negotiating. They are, in the ways that they are raised in their families they learn to do that, whereas men tend to sort out things at a physical level more often than we do.

Q: Who are your role models?

Botha: Frene. Patricia de Lille is quite brave. Helen Zille, Dene Smuts, obviously Helen Suzman for us, many women come through their husbands, and they do quite well, amazingly. Hillary Clinton is great.

Q: Do you foresee a female president?

Botha: One day, yes. Mandela's mother was some chieftess

Q: Can you think of some women who are doing well?

Frene Ginwala, Naledi Pandor, Minerals and Energy, Fraser-Moleketi, speaks well.

Q: Who among the women at Parliament are persuasive?

Botha: The Minister of Agriculture, Thoko Didiza, she is very eloquent. Geraldine Fraser-Moleketi is a very good speaker, in terms of how they speak, if you analyse it, its another matter.

Q: You would say they come across as convincing per se?

Botha: Being self-assured, professional. That carries weight. Very often it's not backed up by any particular expertise. Obviously, reach a certain level of expertise but I think it's more of their style than their content that impresses. In many ways they are executing their mandate. How much of their own views is in that....

Q: Seaking and speaking out, was it encouraged by your parents? At school?

Botha: Definitely not, rather on the contrary. I went against the grain of my school, against my parents. We never spoke politics at home. I grew up in decent environment in terms of race in my house.

Q: There are a number of impressive Afrikaans women, strong women from that background.

Botha: Dene and I understand each other very well. A number of them come from a Nationalist background, I grant people the right, without change there is no progress, so people can change their views.

We are pioneer stock. We have been engaged at the cutting edge of politics in South Africa for centuries. Afrikaans people realists: pragmatic.

[End].

Appendix III: Transcript of 3: Mabel Petronella Mentor, MP ANC, 1 June 2004

Q: I will, just to be polite, quickly will introduce myself so you know who you are dealing with. As I said...

Mentor: Where is your student card? I meant to ask you. You might be a student or you might just be fooling me.

Q: Student card, staff card...

Mentor: We must stop at least at 10 to because I am proceeding to another meeting.

Q: Ok.

I am a student of Rhetoric Studies. Rhetoric is basically the use for language for persuasive purposes and it is about finding the best means in a specific situation to talk about a specific subject. Besides that I do work as a researcher in Disaster Mitigation and I also work as a freelancer in...I write about...

Mentor: Are you a journalist?

Q: I freelance. But the last thing I wrote was on the North Sea Jazz Festival. So don't worry, this is not going to go to the press.

Mentor: Not even in 5 years time?

Q: No. And if, I'll come back to you about that.

About procedures. I transcribe this so if you want a copy of this specific interview I can provide you with that and my thesis will only be bound and everything in a couple of months so I am quite happy to give you that if you are interested.

Mentor: I am an educator and an educationist and that's the only reason that I'm - the educator in me tells me to assist you by agreeing to this meeting - otherwise I would not, normally I don't.

Q: I appreciate this!

I have a two-pronged approach to the interview and I hope that you are fine with that because I viewed the tapes again and specifically viewed your speech, so I have a few questions about that joint sitting if that's fine with you and then from that I want to move on to just a few questions about what I told you initially: women in parliament. Is that fine?

Mentor: Those that I choose not to answer I won't.

Q: Absolutely.

First question on that joint sitting on the final reports of the TRC: What was for you the purpose of the joint sitting?

Mentor: What was the purpose? The purpose of the whole debate or the purpose of my participation?

Q: Both.

Mentor: No, you'll remember that the TRC report had been... had the first and the second report had been tabled and been submitted to the president and to the speaker of parliament so naturally it was to

be debated. It had been a major, a major thing. It was a major process of which you couldn't just after its completion put it aside and forget that it took.

Q: Are you happy it wasn't a debate?

Mentor: Yes. I'm happy - I don't know what you mean that it was not a debate.

Q: Ok, I think I must briefly explain. It was a joint sitting, right? And a joint sitting means that no decision is reached. There is no vote. So, in a way you speak, but you are not going to make a decision. Is there a difference when you are making a speech where you talk about a subject but there is not going to be a vote and then there is a speech and you make, and you're going to try to influence whoever is in the House to make a decision this way or the other way. This is what I mean by the fact that it wasn't a debate.

Mentor: Actually, I think we must. It's always better to do things by the way of consensus. But the TRC was looking into a very painful process we had gone through as a nation. I don't think, as a person who was adversely and painfully affected by apartheid, I would have hated to have a vote on the debate. Because it's not a numbers game. We are still healing from apartheid. I'm personally I'm not healed. I would be offended if I sit and I see somebody vote against the feelings I went through, reduced that to a yes I vote for, no I don't vote for. It would afflict me even worse. So I think it was a good thing it was not voted on.

Q: Why were you one of the 11 ANC MPs speaking?

Mentor: I don't know, but I appreciate the fact that I was one of them.

Q: How long before the speech were you told, or how were you ...

Mentor: Long enough, I was told about...weeks before I spoke I was given to put my mind to it.

Q: Is that something the Chief Whip tells you or how does that come about?

Mentor: Yeah, there is a process but there is also a political process.

Q: Were you happy with your speech?

Mentor: I was very happy to have been selected. Because it assisted me to, to check whether I have healed. There were times when I was writing when I was crying. But I think it was a good thing that I was chosen, it took me a step further towards healing. I am not yet healed but it took me a step further towards reconciliation and healing.

Q: Were you happy in the manner in which you delivered your speech?

Mentor: Very happy.

Q: If you had been able to make any changes or improvements would you have done that?

Mentor: I would not have. If you listen to it I asked what is a maiden speech. I would have, I would not have liked it to be referred to as a maiden speech. I am still questioning why first speakers in parliament are referred to as making maiden speeches that's the only thing. And not only related to, I was still asking the same question this morning, say is it a gender stereotyping thing to say that a novice is a maiden. and is a woman in politics.

Q: There is one thing I noticed when I viewed the footage today is that - were you nervous at all at the beginning?

Mentor: I think I was, like I said there were points when I was crying when I was preparing it. I was nervous not to break down. When I, in fact, the people who were preparing us knew it was a painful process, from the ANC side, those of us who participated had been, all of us, seriously hurt by apartheid. So, it - I remember somebody was keeping an eye saying, please don't go and break down there, if you have to cry, try to cry as much as you can before presenting your speech, so my nervousness was about emotions, hold my emotions and not show the public that I'm still hurt and that I'm still crying.

Q: That's interesting because one thing I noticed, I could not see the whole hand, but I could see that you did this motion, and I felt that you must be nervous but the question was- was it because it was your first time addressing the whole house or - this is what

Mentor: I've addressed rallies with thousands of people at a very young age, so it had nothing to do with the audience, it had a lot to do with my emotions. Also, I had chosen not to go to the TRC because at inception I questioned the effectiveness, whether the process was going to give effectively account for what happened. So, I took a decision not to go and I had hope that I would heal on my own. I was happy the ANC is in government, I was happy we have a chance, I knew, and I knew, time heals and in work, in getting a chance to build South Africa there was a great chance of healing and reconciling, so - because I didn't go to the TRC debating on, being chosen was a privilege and an honour, gave me a second chance to speak. The ANC did not know, I was lucky to be chosen because I said to myself I'm lucky to be chosen, I have a second chance but I knew, I was still hurt. And I still get nightmares from what white people did to us, some of them black that worked for the system. But to me that was an important milestone in healing and in redevoting myself to reconciliation. But because it was an important milestone for me it also got me worried I knew I had to do it the right way. I knew it might be, the only chance coz I had missed the first chance of going to the TRC, I knew it might be only chance I'll ever have.

Q: Did you ever regret not going..

Mentor: No, I never regret. Not going to the TRC?

I have regretted a lot. But the opportunity to speak on the TRC report - Even the ANC doesn't know how much that meant to me, they don't know in choosing me they assisted me.

Q: I'm going to skip a bit, because I'm keeping track of time and I'm picking up something and this is one of the questions that more relate to women in parliament. You just said you've addressed at a young age huge rallies. Is, what would you describe is the biggest challenge, or difference being a speaker in front of a huge rally and then having to come to parliament there is all sorts of rules, and ways of doing things, in terms of speaking your own mind, or addressing an audience, what would you say is the biggest challenge and the biggest difference?

Mentor: You see, if I belonged to another political party other than the ANC it would have been, I'm sure much more difficult for me to adapt to rules here, but being a member of the ANC, I bring with me, even when the rules are difficult, or when the situation is impossible, I know that there are different fora that are there right here in parliament where I can go to, to say, I don't agree with this rule or I don't agree, or help me overcome this problem, so, I think myself as a woman and as a member of the ANC, I meet other women from other political parties, for instance from the IFP, there is a doctor that I am very close to, we confide in one another on

many issues because we serve in the public service and administration, we used to in the previous term. I would note that when she comes to me with her frustration I would always say to her, you know doctor, you're in the wrong party. So, for me the ANC and how the ANC does work and how it develops people and how it appreciates any problem for me at any given time I can knock into the chief whip's office and say look, the manner in which I'm going to present, this rule creates a problem for me, I would not be able to come across to the way I want to and I know as much as he knows that it is his responsibility to assist me, or to find somebody who'll assist me straight away with circumventing that rule. So I think from my observation it's easier for women in the ANC, they have a free reign in circumventing problems that are presented by the institutions and women in other political parties, maybe the issue of their small numbers is a problem so they have to adhere to strict, eh, you know, but with me I think the posture of my organisation is such that I have freedom to be assisted through whatever obstacles I come across in terms of putting things the way I want to put them.

Q: Would you say that your way of speaking, of addressing an audience since coming to parliament has changed?

Mentor: Actually I think I can contribute a lot in assisting others. To me, from the ANC as a political party and an organisation, I've been taught, right from many years even in the UDF that one basic thing that you have to do, when you are going to speak is to analyse your audience, is to say who is your audience, is it a homogenous audience is it a heterogeneous audience. If I must stratify them according to age, according to sex, according to profession, so for me it is an inherent thing, coming from the ANC, in relation to the message you're bringing, what would be the best way to reach and to penetrate this audience. It must not be an important message but if you miss the character of your audience you will not make an impact even if you are carrying a very good message, so my history in the progressive movement makes it very, very easy and I think I can play a role in making it very easy for all other people, all other women, even in other political parties to make sure that if you are given 5 minutes of speaking it helps a lot to know your audience and to adjust your message according to the level and the nature of your audience. I think that is the basic starting point.

Q: Do you have a specific approach to organising your speeches or doing your research that goes into it, or would you say you have a very specific style, is there somebody, like a speaker male or female politician, south African or non South African that has influenced in any way your way of speaking?

Mentor: Not in the way of speaking, but in the way of arranging my thoughts. When, I had my own way, but when Thabo Mbeki was Deputy-President I read a lot of his writing, I right from the beginning I liked the way he comes across as a person if you catch him on TV for 2 minutes for me it is interesting how he comes across coz there was a time where everybody was saying he's too philosophical, he's too

Q: poetic

Mentor: ja, but the same thing that people were criticising was attractive to me, so I went out of the way to read as many speeches as he had presented that I could grab, as many writings, I started even with the ones he wrote and read, when their fathers were, the Rivonia Trialists, there was a likelihood they would be hanged when he led a student delegation that made an appeal to the international community at the UN to intervene. So, I like his style of writing, I like his systematic way of arranging matter. Even when people were saying he's philosophical, to me he was not - I like his structure. What I do normally before I write a speech - I do my own research and I write my own speeches, so what I do, I think first, I spend about 3 hours just doing a mind

map. The issues that I would like to, the main frame, where do I want to start, what is the introduction where is the body, and what is the conclusion, but what is the striking message that I want to people to get. Then I go into the ANC strategic position on those issues and I go as far back as I can and I check whether we have deviated. so, Thabo Mbeki has of late, for the past 7 years or 8 influenced my structuring of what I say, but the ANC positions are the second, my favourite thing is to check how far are we from the original position, and I deliberately go out of the way to, to if I think that we have deviated on an issue to strongly agitate what's going back to the original position so, that's how I, but normally I always say that I want everybody to remember 2 or 3 things that I say, only 2 or 3 things if not 1. So, I will tell you precisely what were the main gists of my first debate here, I will tell you the main gist of the first speech, coz there are not too many, there are normally just 2 things, 2 3 things, then I normally broaden them out along ANC policy, I check them against our original policy and I check what we do now, because sometimes it is the policies that we have written that are still in line with our original position but how we have implemented them, it might be too slow, sometimes off the mark, so normally what I do, i try to do three things, to project my main message, to evaluate what we are doing currently what we said we would do many years ago and to agitate for either more speed Lechesa (Lechesa coughing) or more focus but Thabo Mbeki he influences me a lot.

Q: I've got a quote here by Frene Ginwala: 'Debate is about an exchange, it's about engaging with ideas, not with people.' In terms of women in politics, in particular parliament, in their way of talking and doing things, do you think women have a specifically different approach than their male colleagues or?

Mentor: I think women should articulate the same issues but I think they can articulate them in a different way. Let me give you an example, I'll give you the example of the debate about Aristide. The DA is saying we should not host Aristide, all of them, men and women, saying we should not host Aristide in the DA. The ANC is saying it's the right thing to host him because it is a request of Caricom, of African Union, of UN, it's UN sanctioned, you know, I think, a DA woman, before supporting her party on the issue of Aristide, must say, ok fine, the position is but what about Aristide's child, as a mother, Aristide's children, what about their stability, what about their need to grow in a stable environment, what about the universal right to stability, to growing, to be world leaders in whatever field they will choose, it's important because if we don't want to do it for Aristide, because if Aristide was a despot, as some people believe, his children are not despots. They have the right to, for me that would be a woman's perspective of looking at the issue and for me it would be a woman's issue irrespective of your political party. For me much has, we would see the politics to and fro, for me a woman would reduce it to, but what about, even not about the right of Aristide's wife, but what about Aristide's children, to stability to receiving education in a normal setting just like any other child, so I think we are contributing in terms of that. So for me we can say the same thing, but always the, I don't want to say the feminine angle, but there would be issues that would strike women more than they would strike men, of course that would give them a leverage to articulate some things in a stronger way than men.

Q: When it comes to this issue of quotas - some people push for this 50/50 thing - do you find that women talk when there is a certain number of women, like in a committee meeting or is it almost this critical mass or do you think it is a pure personality thing if you want to speak you will speak no matter if there is one other woman or 10.

Mentor: You see, for me I will only able to answer you from the perspective of the ANC that I grew up in, that the ANC has taken a deliberate effort, long time ago, not only now, the struggle for humanity and for justice you can't fight it unless you give attention to the oppression of another sex group, we used to say that many years ago, that women are oppressed in 3 ways,

that's the teaching I received in the ANC at the age of 15. to say that as a girl I am oppressed in society, at the work place, I'm oppressed economically, socially and politically. So, you know, the only life I've known is the life of being in the ANC in various forms either as UDF or, so I know that my organisation takes a deliberate effort to, even if there is one woman and there are 11 men in a meeting, we all must go out of the way, this woman and the 11 men, must go out of their way to create a space for this woman. What I mean is not just to speak but to grow to a point where she will not be reminded to say that you is the only woman, you know, so for me, I know there is a deal and I am encourage do notice there is, other political parties are following suit in terms of the issue of ... But myself as a woman, over and above the deliberate attentions, that I think because of the teaching I always, I always make it my business to watch if there is enough encouragement, if the policies are in place but if there is a deliberate encouragement for men and women alike to create speaking time, women in assisting them in preparing, in articulating themselves, in projecting themselves, .. so, in the ANC it doesn't matter whether we are 50 or we are 5 in terms of quotas, not only in terms of speaking but whenever we sit, or whenever we do a project together, we have to make sure that women participate, we must travel an extra mile to make sure that, we address whatever obstacles are there for that one, you know, who is going to be there to express themselves, or even to engage meaningfully is the task at hand.

Q: Do you find that there is any advantage of being a woman in talking in certain fora or a disadvantage, like one interview I conducted, one disadvantage this woman mentioned was something I hadn't thought about and surprised me and she said it's about the voice of women, some women have a strong voice but often the timbre is quite high pitched so it is literally a question of making yourself heard. Is that something that you would mention as an advantage or a disadvantage?

Mentor: I don't know, there is an issue I want to raise as an advantage. I've sat in many meetings where it is uncomfortable for a man to raise an issue. Where I'm free to raise it, you know we can sit here, and we are going to speak this afternoon, I have noticed that I can speak to men and women. I can address any matter with both sexes without you know,

Q: so, she's a woman she can talk about this...

Mentor: she can talk to women about anything without feeling she's harassing them or being chauvinistic, so, for me I have always seen the advantages, used them maximally, the advantages of being a woman. Maybe I have, maybe I ... it is because generally in nature, I refuse to see them, always on the lookout for the spaces created for me, I think many women are missing out, because they concentrate on the things that are bringing them down. In any situation in South Africa today you can argue from a gender perspective and judge your way through. So for me it's an advantage that I can be here and say to Lechesa, I'm menstruating and I have menstrual pain, if my work, is not so satisfying, know that I am in pain right now. So, I will urge women to always look for the advantages, for me the advantages outweighs the disadvantages, maybe for situations women or men, always force them to see the things that pull them down.

Q: It's always a question of whether the glass is half empty or half full.

Mentor: Ja, I always see advantages, I never really, but I've seen other women see disadvantages, and allowing those disadvantages they see to put them down. For me, with my gender, I can go to the president and say, president, for the past 5 years, or the past 10 years you have been agitating for gender equity and equality, can you give me a hearing because I am a woman. And if he refuses, Are you refusing to listen to me because I'm a woman? I can be as silly as that to get a way through to secure an appointment in his diary. But I can say I want you to explain to me why have you shifted Lindiwe, just an example from intelligence to housing? For me I see advantage

in everything I can, use the gender advantage to get, to pose whatever question, to raise whatever complaint, to demand whatever service, or whatever attention.

Q: Would you say that, when you, or when you observe other women talking that there is maybe one thing they use more or less than men, for example women use maybe more facts or less facts, more experts when they talk than men, or they are more likely to use, you know, wit and humour, they're sharper, or is this a very clear, personal thing that there are some speakers that are just good at speaking and you know they are always well prepared and they always have a good speech?

Mentor: I don't think, I can't say that men are necessarily the best speakers factually or what, but one thing I've noticed about women and about people with disability. My observation, which might be wrong, women feel compelled to spend the bulk of their speeches on gender relations and gender issues, you know, I would like them to do that but I would like them to speak about national issues and international issues more. You can still speak on international issues and give them a gender dimension, you can still, I don't like it when women whenever they open their mouths, the quota, the gender framework, the you know, I want women to say that, to talk about what was discussed in the Security Council of the United Nations yesterday and maybe to do a gender analysis of that discussion that happened in the Security Council, for me that's the only thing but even if they have facts, often they have facts, but their facts are more gender relation facts than global issues and yet, you find men, when they speak, they will speak about gender relations, about the economy, they will speak about conflicts in the world and all sorts. The same goes to people with disability, they tend to, whenever they speak, 80 %, 90% of their content it's to lament the situation of people with disability therefore, so it defines that role, even if we give them bring your disability angle, bring your gender angle into this, bring your children's worries into; I think we can do better than this. Myself, whenever there is, whether it's soccer, whether it's rugby, I want to be able to participate at least functional knowledge of the necessary things in life. I don't want to be talking about gender relations all the time.

Q: Basically women can do more than that.

Mentor: Ja, I know South African women will kill me for making that, but I might be wrong but I would like them more to speak about global issues, national challenges.

Q: That is my last question. My first degree I majored in French and Politics, and the first essay I ever had to write in politics - that goes back to 1997, so that's quite close to 1994 - we were given this task to chose two topics that we considered could become, not necessarily a threat, but definitively a challenge to this young democracy. and i was staying with a friend of mine and we decided to take the same topic, to share the work and we chose education and HIV/Aids. I don't know if it is that I still see these two issues as in a way the biggest challenges for South Africa but I was surprised in a way to find in your speech that you definitively mention the one, education and also the fact, rightfully, the TRC left out in the institutional hearings education. You may or you may not answer this question - I was not sure I was going to ask you -

Mentor: I knew you were going to ask - on AIDS

Q: The reason I ask is because you, at the beginning make a salute to three comrades -

Mentor: They are all dead.

Q: No, no, that's not it. I've heard of 2 of them, and I remember the time of their passing, there were in the press, you know, rumours as to cause of their death. And some of these rumours

were that they were HIV positive. In your choice of the three comrades, is that anything- am I reading way too much into this choice - or was this a very personal choice?

Mentor: You are reading into it. I had a very personal connection there. Parks Mankahlana trained me in media studies in the underground.

Q: He was the spokesperson for the president?

Mentor: Ja, he trained me on media analysis and all this. Peter Mokgaba trained me militarily. So, you just read too much. I don't think that Parks Mankahlana was killed by Aids. I nursed him when he came from Zambia with Malaria and suffered and Doctor Abu Assad was still alive and Stompie was still, at the time around which, just before Stompie was killed. Do you know that Malaria has similar symptoms to Aids? He had been left in an airport in Africa, he was supposed to be fetched he was not fetched and he came back with Malaria and he had shown the same symptoms you can say are Aids symptoms. But I don't know, I never discussed this matter with him. But I know that if a doctor can jump into a conclusion if you have Malaria, if they can jump into a conclusion and give you AZT that's the end of you. Because AZT gives you Aids when you don't have Aids. I don't know if you know that, I've read my stuff on AIDS, my stuff on dissidents, I've read my stuff simply because I got very worried about Parks, but I tell you that I personally have my theory about Parks' ill health because you caught it up when the HIV/Aids, you caught it up when the HIV/Aids was very benign and he made remarks about it. I know his ill health from the time when he contracted Malaria and if you go and do research on Malaria you know that it has a tendency of, if you are taking dual drugs and you don't take it full it will lie low in your body and it will emerge and re-emerge.

Q: But as topics is education one of...

Mentor: My favourite. I'm an educator and an educationist by profession but I've had an inclination of being an educator from childhood. I always see, I always think that interaction between two people is a form of education. I also do informal, I believe in informal education, more than I believe in formal education as much as I am a professional, trained as an educator. You would never find me speaking and not referring to education. Deliberately or accidentally. I think, and in fact education is the greatest equaliser or dis-equaliser. So, we can do all things, if we fail on education, we will never attain whatever objectives we are setting out and we are happy when the president, every time he talks, he doesn't say straight away education like I said, but he says skills, skills training, human resources development but he actually means education, I think he understands we won't go anywhere without education. We need restructuring it, reviewing it, we need resourcing it, we need rearranging it, we need giving it to people at different levels, in different forms, at the workplace, formally in schooling, so that's my....
Thank you. Bye-bye.

Q: Thank you very much for your time!

[End].

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